

SCOTLAND

What happens next



BRITISH
TRANSPORT
POLICE

Contents

Our commitment to you	03
Introduction	04
Why are we involved	05
Criteria for classification	06
Identification and statement	07
Personal belongings	08
Viewing your loved one	09
Viewing where it happened	09
Investigation and the role of the Crown Office and Procurator Fiscal Service	10
Notifying others	12
The press and social media	13
People you may come into contact with	14
Court hearings	15
Getting help	16
Bereavement referrals	17
Practical advice	18
Useful contacts	19
Notes	22

Our commitment to you

We will:

- Treat your loved one with dignity and respect.
-
- Be empathetic, timely and professional, giving you information as soon as it is available.
-
- Return your loved one's belongings to you where possible and as soon as possible.
-
- Contact you to discuss what is happening ideally within 8hrs but in any case, within 24 hours of first speaking with you, and at least weekly until we conclude our enquiries (unless we agree a different timeframe with you).
-
- Explain both the investigative and inquiry processes to you and support you through them. In some circumstances, a Family Liaison Officer may also provide you with support.
-
- Find out about your loved one to establish relevant lines of inquiry and discuss any concerns you may have.
-
- Conduct a thorough and professional investigation into what happened and establish whether anyone or any organisation may be to blame.

Introduction

We are sorry that you find yourself in these tragic circumstances and we offer you our condolences.

This booklet is designed to guide you through some of the practical arrangements which need to be made.

There are processes which have to be followed after a death on the railway, which are outlined in this booklet.

There is also a list of organisations at the back of this booklet where you can find support.

Why are we involved?

British Transport Police is the national police force responsible for policing Britain's railways. We investigate railway fatalities under the direction of Crown Office and Procurator Fiscal Service (COPFS).

Our guiding principles are to maintain respect for the dignity of the deceased and for the feelings of the family.

In Scotland, all deaths on the railway must be reported to the Procurator Fiscal for the area in which the death occurred. It is also possible in certain circumstances for the Procurator Fiscal to instruct a Fatal Accident Inquiry.

This booklet can also be provided in Welsh.

In England and Wales, all fatalities on the railway must be reported to the Coroner for the area where it occurred. A version of this booklet appropriate to these processes can be provided.

Criteria for classification

All deaths on the railway are Unexpected Deaths the following are the different classifications which BTP use:

- **Investigated - Non-suspicious** – the cause and circumstances of death are known; and evidence indicates NO suspicious circumstances or third-party involvement.
- **Under Investigation** – the cause and/ or circumstances of death are not immediately known; and further investigation is required.
- **Homicide** – the evidence indicates suspicious circumstances; and/or Evidence of homicide; and/ or third-party involvement in the death.
- **Under Investigation - Work-related** – resulting from an incident arising from or in connection with work.
- **Investigated - Sudden death** – where a death is reported to BTP, which is not suspicious and does not involve an unnatural occurrence.
- **Under Investigation – Child Death** – where a death occurs, and the person is aged 17 years or under.

The officer discussing your case with you may be able to tell you which criteria is being investigated. As the investigation progresses, it may be re-classified from one category to another.

Whilst BTP has different classifications than those used by Police Scotland, the classification will be converted to those used in Scotland when the death is reported.

Identification and statement

Occasionally we need someone to make a formal identification. This should be done by the next of kin. If you identify your loved one yourself, you may want to take someone with you. A partner or close friend may be able to do this for you if you wish, as long as the Procurator Fiscal agrees. We will need to take a statement from you to say that you have made a formal identification.

We have to get a broad understanding of your loved one and the way we do this is to take a background statement referred to as an antecedent statement. This may take place over the phone, by email or in person at your home. However, if you would prefer it to take place elsewhere we'll do our best to arrange it.

The statement is a history of your loved one's life and includes some of the following:

- Name, age and date of birth
- Family make-up e.g. siblings or children
- Childhood and schooling
- Medical history and current illness or injury
- Occupation
- When you last saw them
- Anything else that may help establish why they died

The person who takes this statement will be:

- A police officer
- A family Liaison Officer, if one has been appointed

Personal belongings

We may need to examine personal items for DNA or fingerprints to help us with the identification of your loved one. This is carried out by specially trained staff known as Scenes of Crime Officers (SOCOs).

The SOCO will want to attend the address of your loved one as soon as possible, often the next day. On occasion they may need to take an item of property away with them to examine.

Please avoid touching anything that your loved one may have recently handled until we tell you that we are happy for you to do so. As much as we would like to return an item to you, sometimes this isn't possible due to them being damaged during the forensic processes.

Please bear in mind that items may not be returned to you in the same condition as when you last saw them. Your point of contact will discuss this with you.

Viewing your loved one

If you have not had to formally identify your loved one but want to see them, we will do all we can to help. Please speak to the officer dealing with your case.

Following this type of incident, injuries can be very severe. We will talk this through with you and tell you what we know at that time. Hearing details of injuries is likely to be very distressing and if they are severe, you may need to think carefully about going to see them.

Visiting where it happened

If you would like to visit the place where your loved one died, we will do all we can to help you. This can take a few days to arrange as it needs to be planned in advance through the person dealing with your case.

The railway can be a dangerous place, so for everyone's safety we won't take you onto an operational line but as close as we can.

Please don't leave flowers or other tributes on the railway or at stations; these can cause distress and safety issues which is why they are usually removed.

Investigation and the role of the Crown Office and Procurator Fiscal Service

Procurator Fiscals are qualified lawyers who are employed by the Crown Office and Procurator Fiscal Service (COPFS) who act on the instructions of the Lord Advocate. The Lord Advocate has responsibility in Scotland to investigate any fatality which requires further explanation.

When a person dies in Scotland, they cannot be buried or cremated until a medical certificate giving the cause of death has been issued. This certificate must be completed by a doctor, and must show the time, place and cause.

Most sudden and unexplained deaths are reported to the Procurator Fiscal because a doctor is unable to confirm the cause of the death and is therefore unable to issue a death certificate. Once a death has been reported to the Procurator Fiscal, they have a legal responsibility for the body, usually until a certificate is written by a doctor and given to the nearest relative.

It is not uncommon for relatives to find it difficult to understand why a death has been reported to the Procurator Fiscal. Quite often relatives will believe that the medical history of their loved one shows that they were ill before their death, and as such a death certificate should simply be issued. The medical history will always be taken into account by the Procurator Fiscal and the doctor in considering if any further explanation is required. However, even where there is a history of illness, for medical reasons, doctors may not always be able to issue a certificate. This does not mean the circumstances have been reported to the Procurator Fiscal because they are considered to be suspicious.

After a fatality on the railway, a medical examination may be considered and may be completed at the direction of the Procurator Fiscal to establish a formal cause of death. The 'Post Mortem' examination, as it is often called, is carried out by a pathologist or other suitably qualified medical consultant.

If you have any religious or cultural concerns or objections, please speak to the officer dealing with your case, or the Procurator Fiscal. We will assist you to obtain the relevant contact details if needed.

It is common for samples to be taken at the post-mortem to check for things such as medication, other drugs or alcohol. It is not a reflection on your loved one, rather it is to establish if there could have been any other contributory factors.

You can ask for a copy of the post-mortem report. Please be aware that they are written in very graphic, clinical language and can be distressing to read.

Medical Certificate of Cause of Death issued by the Pathologist

After the Medical Certificate of Cause of Death has been issued following a post-mortem examination, arrangements can be made for a funeral director to collect your loved one along with the certificate from the mortuary.

Registration of Death

By law, all deaths occurring in Scotland must be registered with the local Registrar of Births, Deaths and Marriages, and this duty to provide the information required for registration rest principally with a relative of your loved one. However, if no such relative is available, the duty may be performed by anyone present at the death, an executor or other legal representative, or the occupier of the premises where your loved one resided.

Notifying others

These can include:

- Family, friends, acquaintances and neighbours
- Employers
- Doctors
- Utility companies
- Banks/credit/mortgage companies
- Government agencies – e.g. DVLA/DWP
- Solicitors
- Insurance companies

Your funeral director, GP, solicitor and local authority may also be able to help.

You may find this useful for additional support and practical advice:

<https://www.gov.scot/publications/death-scotland-practical-advice>

The ‘Tell Us Once’ service allows you to report a death to many government organisations at once. When registering the death, a registrar will explain the ‘Tell Us Once’ service. They will complete the ‘Tell Us Once’ service with you or give you a unique reference number so you can use the service yourself online or by phone. Information on this service can be found at:

<https://www.gov.uk/after-a-death/organisations-you-need-to-contact-and-tell-us-once>

and

<https://suicidebereavementuk.com/immediate-support-resources/>

More information can also be found at

<https://www.mygov.scot/register-death>

The press and social media

There is often public interest after a death on the railway and sometimes local media will contact BTP for more information. We only give brief details of what has happened such as the time, date and where it happened. Once next of kin have been informed, if asked, we may then release the gender and age of the person and the general area they live. Further Information is only released with the prior authority of the Crown Office and Procurator Fiscal Service.

We won't give out the name of your loved one. However, if their name becomes a matter of public record the media can publish this.

Sometimes reporters will find out the address of your loved one and may visit their home to speak to you. It is your choice whether you speak to them or not.

Some families like to release a picture or public tribute to their loved one. Our Corporate Communications Team can help you with the wording and advise on the best method to release this to the media. They can be contacted via your point of contact.

It is worth bearing in mind that the media may use social media such as Facebook and Instagram to find out more about your loved one, they may use this information in their reporting.

People you may come into contact with

Staff from COPFS Victim Information and Advice (VIA) may contact you if there is to be a prosecution, further investigation after a post mortem examination or a Fatal Accident Inquiry. VIA staff will provide you with information about the progress of the case and can assist you to get in touch with support agencies.

Family Liaison Officer

- To help the investigating officer by gathering information and evidence which contributes to the investigation
- To be a single point of contact for you
- They will provide support and information, in a sensitive and compassionate manner, ensuring information is given in a timely way.

Family Liaison Officers are not usually appointed to deal with fatalities on the railway, however the circumstances or the subsequent investigation may make the appointment of one appropriate.

Court hearings

There are no inquests in Scotland, where sudden unnatural deaths are reported to, and investigated on behalf of the Procurator Fiscal. Where a death is reported, the Procurator Fiscal will investigate the circumstances of the death, attempt to find out the cause of the death and consider whether criminal proceedings or a Fatal Accident Inquiry is appropriate.

A Fatal Accident Inquiry (FAI) is a type of court hearing which publicly inquiries into the circumstances of a death. It's normally presided over by a Sheriff. The purpose of a FAI is to assess the circumstances surrounding the death and to identify any issues of public concern or safety and to prevent future deaths or injuries. The Procurator Fiscal has responsibility for calling witnesses and leading evidence at a FAI, although other interested parties may also be represented and question witnesses. At the end of a FAI, a Sheriff will make a determination.

The determination will set out:

- Who died
- Where they died
- When they died
- The circumstances surrounding how they died
- Any precautions by which it might have been avoided
- Any defect in systems that caused or contributed to their death
- Any other facts which are relevant to the circumstances of their death.

An FAI cannot make any findings of fault or blame against individuals.

Getting help

Traumatic, untimely death is a particularly shocking bereavement, yet it is different for each of us. In a traumatic death, feelings of grief can be magnified.

Who can help?

- General Practitioner
- Solicitor
- Funeral director
- Citizens Advice Bureau
- National Rail Chaplaincy Service
- Religious and community leaders

Bereavement referrals

BTP will automatically refer you to locally commissioned bereavement support.

If your bereavement is through suspected suicide then AMPARO is BTP's referral Pathway.

Due to the impact that bereavement can have, BTP will actively refer you to a commissioned bereavement organisation called Amparo. You will be notified of this referral when you are informed of the death of your loved one. If Amparo covers the area you live in, they will contact you within 24 hours, if they don't, they will make sure the commissioned bereavement service covering your area contacts you within 24 hours of the referral.

This will allow you the opportunity to object to this referral. This objection can only be overruled if the officer/police staff is able to justify the referral to be necessary and in your best interests. In all cases, you will be informed of the referral.

Amparo is for people affected by suicide. Amparo means 'shelter' or 'safe haven' in Spanish and provides support for anyone affected by suicide. Support can be provided one-to-one, to family groups, groups of colleagues or peers – whatever is preferred by you and is most appropriate to your situation. The service can be delivered to your home or wherever you are most comfortable. Our service is completely confidential and can provide short-term or longer-term support, depending on what you feel it is you need.

0330 088 9255
amparo.service@listening-ear.co.uk
amparo.org.uk



Practical advice

FAMS (Families affected by Murder and Suicide)

FAMS is a charity which provides support for individuals affected by murder, suicide, or other mental health issues. All their volunteers have lived-experience.

01698 717424

07736 326062

info@fams.chat

www.fams.chat

SAMH (Scottish Association for Mental Health)

SAMH works with adults and young people providing mental health social care support.

0344 800 0550

info@samh.org.uk

www.samh.org.uk/info

SAMH also provide a booklet which outlines the practical issues that need to be faced after a suicide. It also discusses some of the emotions you might experience and suggests places where you can get help. This can be found at:

www.samh.org.uk/about-mental-health/suicide/after-a-suicide

Cruse Bereavement Care Scotland

Cruse Bereavement Care Scotland are a charity, staffed by volunteers, to give bereavement support to people throughout Scotland.

0845 600 2227

info@crusescotland.org.uk

hubofhope.co.uk

The Hub of Hope is the UK's leading mental health support database. It is free and provides links to local, peer, community, charity, private and NHS support and services that may be useful or of help to you or someone you care at this distressing time. Please visit the website or download via the app using the QR code.



Breathing Space

Breathing Space is a free, confidential phone and web based service for people in Scotland experiencing low mood, depression or anxiety.

0800 838587

www.breathingspace.scot

Samaritans

Samaritans provide confidential emotional support 24 hours a day, all year round, for people who are feeling distressed or need to talk to someone.

116 123

jo@samaritans.org

www.samaritans.org

Childline

Childline is a free 24-hour helpline. Children and young people can talk to a counsellor about any problem, including coping with bereavement.

0800 11 11

www.childline.org.uk

Child Bereavement Charity

Child Bereavement Charity works with families and children when a child dies or experiences bereavement.

0800 02 888 40

support@childbereavement.org.uk

www.childbereavement.org.uk

Winston's Wish

Winston's Wish works with children who have been bereaved.

0808 80 200 21

info@winstonswish.org.uk

www.winstonswish.org.uk

At a Loss

At a loss is a signposting website for anyone bereaved and those supporting them.

<https://www.ataloss.org/>

office@ataloss.org

Citizens Advice

www.cas.org.uk

0808 800 9060

Railway Mission: BTP & Railway Chaplaincy Service

Railway Mission provide independent, impartial and confidential support to anyone affected by tragic incidents on the railway network, regardless of status, lifestyle, race or religious beliefs.

www.railwaymission.org/grief

Call: 0203 887 7000

Useful contacts

British Transport Police

0800 40 50 40

text 61016

btp.police.uk

Incident number

Contact officer

Phone

Email

Postal address

Officer dealing

Phone

Email

Postal address

[illegible]

Notes

[illegible]

0800 40 50 40
text 61016
btp.police.uk



**BRITISH
TRANSPORT
POLICE**