

# **Consultation analysis report**

## **Consultation on a proposed Bill relating to burial and cremation and other related matters in Scotland**

**July 2015**

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The consultation paper considered a range of sensitive and emotive subjects. Some of the issues discussed take place at times of great distress and deal with difficult and harrowing experiences. The language of the consultation paper was necessarily legalistic and technical, and it is necessary to discuss the subject matter in an objective and dispassionate way. This approach was essential to ensure that a legal framework is developed which will provide the appropriate level of dignity and respect when carrying out burials and cremations. The use of such language is not intended to be disrespectful to those who have experienced some of the circumstances considered in the consultation paper.

## Background

1 The Scottish Government published a consultation paper on 26 January 2015 on a proposed Bill relating to burial and cremation and other related matters in Scotland. The consultation paper set out a range of policy proposals designed to improve the processes used for burial and cremation. The majority of the proposals were based on recommendations made by the Burial and Cremation Review Group (“the Group”) and the Infant Cremation Commission (“the Commission”), while others were related issues which were not necessarily addressed in any detail by the Group or the Commission but which warranted consideration in the consultation paper. These include the regulation of the funeral industry and the cost of funerals.

2 The Burial and Cremation Review Group was established in 2005, and considered ways to improve procedures after a death. The Group’s recommendations were published in 2007<sup>1</sup>, and many have already been implemented in the Certification of Death (Scotland) Act 2011. The remaining recommendations to improve the practices relating to burial and cremation were considered by this this consultation.

3 The Infant Cremation Commission was convened to recommend improvements to the processes involved in the cremation of babies and infants. This was in response to historical poor practices at a number of crematoria across Scotland. The Commission made 64 recommendations.<sup>2</sup>

4 More background on the work of the Group and the Commission can be found in the consultation paper, along with more context to the consultation.

## Overview/summary

What did the consultation cover?

5 Views were sought in relation to the following areas:

- The legislative framework;
- The right to instruct the disposal of human remains;
- The management of cemeteries;
- Burial and cremation records;
- Alleviating pressure on burial grounds;
- Exhumation;
- Pandemics and mass fatality events;
- Informing staff of particular causes of death;
- Cremation forms and procedures;
- Pregnancy loss;
- A cremation register;
- Accreditation of cremation authority staff;
- Inspector of crematoria;

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<sup>1</sup> <http://www.gov.scot/Publications/2008/03/25113621/0>

<sup>2</sup> <http://www.gov.scot/Publications/2014/06/8342>

- Regulation of the funeral industry; and
- Funeral poverty.

6 Questions were posed about particular issues, including broad concepts and detailed policy proposals. Additionally, respondents were invited to offer views on any relevant issue not otherwise discussed in the consultation paper.

## Responses

7 The consultation paper was published electronically on the Scottish Government website. The link to the paper was sent to various stakeholders, including all Scottish councils and all territorial Health Boards (as well as several special Health Boards); the funeral industry, the legal profession, third sector and civic organisations and various other stakeholders.

8 A total of 181 responses were received by the closing date. A number of responses were received after the consultation had closed; while it has not been possible to include all of these in this analysis report, all comments received to the consultation will be considered in developing policy proposals for inclusion in the Bill. We would like to thank all those who took the time to respond to the consultation.

9 The respondents have been categorised as follows:

- Archaeology (4)
- Civic Scotland (2)
- Embalmer (1)
- Funeral directors (3)
- Funeral industry representative bodies (7)
- Graveyard specialist interest (5)
- Healthcare organisations (non NHS) (2)
- Individuals (106)
- Legal profession (1)
- Local authorities (25)
- Medical profession representative body (2)
- Miscarriage and infant loss charity (3)
- Miscellaneous (3)
- NHS special board (2)
- NHS territorial board (1)
- Older people interest (2)
- Private burial authority (0)
- Private cremation authority (4)
- Professional genealogy (2)
- Religious/ faith group (7)

10 In line with Scottish Government consultation practice, respondents were asked to indicate whether their response could be made public. Accordingly, all consultation responses which the Scottish Government has permission to publish (whether wholly or in part, including anonymised responses) are available on the

Scottish Government website at [www.gov.scot/Publications/2015/07/2101](http://www.gov.scot/Publications/2015/07/2101) They are also available from the Scottish Government library.

11 This report represents the end of the formal consultation process on the proposed Bill. However, ongoing stakeholder engagement will take place to help further develop policy proposals. This is discussed in more detail at paragraphs 174-175.

## The questions asked and the responses

### Methodology

12 Analysis of the consultation responses was carried out by members of the Scottish Government’s Public Health Division. Both statistical and textual analysis was carried out to provide a comprehensive survey of the consultation response.

13 This analysis report sets out the response to each question in order, providing a statistical overview of responses as well as a textual analysis. For those questions where a ‘Yes’ or ‘No’ answer (or similar) was requested, a statistical summary table is provided. The first column of each summary table shows the number and percentage of respondents who answered that particular question. The percentage breakdown in the subsequent columns is based on the number of responses to the question rather than the total number of responses to the consultation in general. This ensures that the analysis accurately reflects the opinions of those who answered each particular question.

14 The report does not offer a detailed Scottish Government response to each question. Instead, the next steps, including how the consultation response will influence policy development, is set out at the end of the report.

### The legislative framework

Q1 – Do you agree that existing legislation relating to burial and cremation should be repealed and replaced by a new legislative framework?

Responses to this question & % of total	Of those who replied	Yes %	No %	Don’t know %
141 (78%)		70	16	14

15 The majority of those who answered this question clearly supported the proposal to modernise and consolidate all existing primary and secondary legislation relating to burial and cremation. Of those who answered “no”, most did not give a reason for answering this way. Some of those who answered “no” and gave a reason suggested that the current legislation did not need changed or only needed to be updated. However no compelling reasons were given and are probably attributable to concerns about burial lair reuse.

16 Most who answered “yes” did not provide a comment. Those who did tended to agree in stating that new legislation would provide clarity and consistency and would improve how the industry operates. There were also some comments that any changes should ensure that funerals are done respectfully and improve the experience for the bereaved relatives. Question 2 sought views on any particular powers that new legislation should provide.

Q2 – Are there any particular powers that are required by Burial Authorities or Cremation Authorities that are not provided for by current legislation?

17 There were a number of comments about the maintenance of burial grounds, headstones and memorials, and support for the Bill providing Burial Authorities with powers to enforce the upkeep of headstones and memorials as well as the power to repair or remove inappropriate or dangerous ones. Some commented that the legislation should forbid reuse of lairs and headstones.

18 There was general consensus that any legislation should ensure that burial and cremation services are standardised across the country with appropriate penalties for breaching the legislation. Some commented that it should be made clear that new legislation will apply to all faiths and all types of funerals, and should make clear any restrictions about what days of the week funerals can take place on. A few responses referred to the disposal of ashes and suggested that legislation should set out the requirements and timescales for the disposal of unclaimed ashes.

19 There were a few responses relating to the ownership of lairs and rights of burial. Most of those welcomed the opportunity to clearly set out how these rights operated, including how they could be transferred and extinguished, and the legal process about how they are passed on when the owner dies. It is unlikely that this will be considered in the Bill, since it is already set out in inheritance law. Nonetheless, we will consider whether this process can be supported through guidance.

20 A few respondents stated that the legislation should state that certain categories of graves should be exempt from reuse, such as Commonwealth War Graves, and should protect burial grounds of particular historic value. Some suggested that the legislation could include a list of who Burial Authorities would be required to consult before proposing reusing any lair.

21 The majority of these topics were considered by the consultation paper, but responses to question 2 helped identify a number of issues which had not yet been given detailed consideration.

Q3 - Do you agree that the proposed Burial and Cremation (Scotland) Bill should apply to all cemeteries and crematoria in Scotland, regardless of whether they are publically or privately operated? If not, please set out reasons why not.

Responses to this question & % of total	Of those who replied	Yes %	No %	Don't know %
146 (81%)		79	12	10

22 There was clear support for this proposal, with the majority of respondents of the view that doing so would promote consistency and improve standards across Scotland. Some commented that it may be difficult to enforce legislation and that any sanctions to be applied for failure to comply with the law should be set out clearly. However, the majority felt that if was necessary to ensure that all operations, both public and private, should be required to comply with the legislation.

23 Seventeen respondents did not agree with the question. The majority of those did not give a reason for why they did not agree. Those who did give a reason

stated that they considered that private operations were already well run and did not need to be subject to any legislation or that there was no demand for change.

Q4 - Do you agree that the Bill should contain provisions which apply to all facilities where any new method of disposal which might be introduced in Scotland are carried out?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
135 (75%)		81	7	12

24 A clear majority of respondents agreed that any new legislation should apply to all current methods of disposal and to any that might be developed in future, and that all facilities used to dispose of human remains should be governed by the same legislation. The most frequently mentioned new methods were resomation<sup>3</sup> and promession<sup>4</sup>. Some responses also suggested that new legislation should extend the consumer safeguards proposed for burial and cremation to any new technologies that might be introduced.

25 The respondents who answered “no” did not provide comments in most cases. Those who did felt that new methods should not be encouraged or should only be regulated for once they are introduced and better understood.

Q5 - Do you agree that the Bill should contain provisions to regulate environmentally friendly methods of disposal that are already available in Scotland?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
134 (74%)		87	6	7

26 The majority of respondents agreed and considered that regulation for these methods of disposal will provide protection and clear guidance and will help encourage greater use of more environmentally friendly methods of disposal. Many respondents mentioned “green/natural burial”<sup>5</sup> as a method that should particularly be encouraged and provided. A few respondents commented that the legislation should allow for all types of funerals catering for different faiths. There were also comments that any new methods that might be introduced should not be cost prohibitive.

<sup>3</sup> Resomation is where a chemical solution breaks down the body to leave bone ash and a sterile liquid.

<sup>4</sup> Promession is the process of freeze drying the body and vibrating the remains into ashes.

<sup>5</sup> The interment of the body in the soil in a manner that does not inhibit decomposition but allows the body to recycle naturally.

Q6 – Should the Burial and Cremation (Scotland) Bill contain provisions pertaining to home burial?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
136 (71%)		80	10	10

27 There was clear support for including home burial in the Bill. Particular concerns related to the location of the burial and that it should be easily identifiable, by reference to the title deeds or on the Land Register. Concerns about the size of the garden or grounds where the burial would take place were raised, with many respondents commenting on the potential impact on neighbours and privacy for both them and the owner of the property where the burial takes place. A number of respondents misunderstood and were against home burial being introduced by the Bill - home burial is already legal in Scotland, and the intention is to ensure that it is better regulated in future.

Q7 - In making legal provision for home burial, what factors should be considered?

28 Unsurprisingly, many respondents commented on the need to assess the potential impact on the environment and on water supplies near the site of a home burial. Respondents commented that it was vital that home burial be governed by legislation and that the provision of guidance for anyone considering this method of disposal would be very helpful. There was support for a clearly defined process to follow when applying for a home burial.

29 The general view was that provision should also be made for what would happen when there is a change of ownership of a property and whether the remains should be exhumed or whether there is some way that the new owner would be obliged to allow the previous owner to visit the burial site. Questions were asked about the exhumation process, and who should consider and make a decision on applications to exhume.

30 Other concerns raised related to the suitability of the ground for a home burial and the depth of the burial as well as whether it should be necessary to have qualified grave diggers to prepare the site. Those who were against home burial commented that it should not be an option or that it should not be necessary to legislate for.

Q8 - Are there any reasons why private cremation should not remain illegal?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
130 (72%)		15	70	15

31 The majority were against private cremation and considered that cremation needs to be done under controlled circumstances. Many commented on the

potential risk of home cremation being used to conceal criminal activity. Concerns were also raised about the control of emissions.

32 Respondents who considered that home cremation should be allowed mainly stated that it should be to allow for particular faiths as long as it was done in a controlled manner. However others commented that there are no control mechanisms available to ensure home cremation is done correctly.

Q9 - Do you agree that alternative methods of disposing of the dead should be regulated for in this way? Are there any particular alternative methods that should be considered? Are there any particular methods which should be prevented from being used in Scotland?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
103 (72%)		79	7	14

33 There was strong support for the introduction of resomation and some support for promession. Comments were made on the need for careful consideration of any environmental impact, and that codes of practice for any new method should be produced or that they should at least be provided for in the Bill. A few respondents commented that allowing new methods of disposal will encourage innovation and would ease the pressure on traditional burial grounds by reducing demand.

34 Home cremation was again mentioned by a number of respondents as a method of disposal that should not be allowed.

Q10 - Do you agree with this definition of ashes? If not, how should ashes be defined?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
130 (72%)		87	3	10

35 The overwhelming majority of respondents welcomed the proposal to legislate for a clear definition of ashes. Only four respondents responded “no” but did not provide reasons for doing so.

Q11 - Do you agree that a minimum distance of 200 yards (182.9 metres) should be required between crematoria and housing? If not, please explain why not.

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
138 (76%)		75	15	10

36 Respondents were strongly in favour of retaining a significant minimum distance. Many who commented considered that the most important factor for

retaining a minimum distance was to ensure privacy and dignity for both home owners and mourners. A substantial distance would also ensure adequate provision for memorial gardens and car parking.

37 Some respondents commented that the reasons for retaining a minimum distance due to possible emissions were no longer relevant due to improvements in how emissions are dealt with since the original distance was imposed. Other respondents stated that it should be made clear in legislation where the minimum distance is to be measured from: ie, from the cremator, a particular part of the building or the boundary of the grounds. The legislation should also state what is required of home owners who intend to agree or withhold agreement to a crematorium operating.

38 Some respondents who did not consider there was a need to retain a minimum distance commented that natural barriers should be considered, such as trees, rather than having a standard minimum distance. Some felt that the minimum distance should only apply to traditional “flame” cremation but would not be necessary for newer methods of disposal such as resomation and promession. A few respondents commented that the minimum distance should apply to new crematoria only. Others commented that the minimum distance should also apply to any residential properties being built near to an existing crematorium.

Q12 - What are your views on the use of enforcement powers or penalty powers in response to such a minimum distance being breached?

39 There was clear support for strong enforcement of breaches of the minimum distance although only a minority of responses suggested methods for achieving this. Minimum distance is not currently part of planning considerations by local authorities but many respondents felt that it should be included in the planning process and any objections to a planning application on this basis considered. Most respondents who were in favour of retaining a minimum distance were of the view that any crematorium built in breach of the minimum distance should be demolished.

40 Further consideration of this issue is required. While there is strong support for a minimum distance, there may be a number of difficulties in enacting this, not least of which is how it can be enforced. The Cremation Act 1902 contains a minimum distance, and experience has shown that it can be difficult for this to be enforced adequately. The Scottish Government will consider this issue in light of responses to the consultation.

## The right to instruct the disposal of human remains

Q13 - Do you agree that the right to instruct the disposal of a body on death in the case of an adult should be vested in the nearest relative using the definition at Section 50 of the Human Tissue (Scotland) Act 2006? If not, why not? In whom should this power be vested instead?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
129 (71%)		83	10	7

41 The majority of respondents were strongly in favour. Comments included ensuring that the wishes of the deceased were observed wherever possible.

Q14 - In the case of the death of a person under the age of 16 years, do you agree that the right to instruct the disposal of the body should follow the proposal at paragraph 43? If not, why not? In whom should this power be vested instead? How should this be defined in legislation?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
126 (70%)		90	2	8

42 Respondents were strongly in favour of this proposal. A few respondents asked that the legislation should clarify what should happen in various situations such as when the local authority has parental rights and responsibilities (PRR) for a child or the parents do not live together but share PRRs. The majority considered that it would be beneficial to have a standard definition in legislation.

Q15 - Do you agree with the proposal for who should have the right to instruct the disposal of the body in the event of a stillbirth? If not, why not? Who should have the right to instruct the disposal of the body in the event that the mother or father are unable to do so? How should this right be defined in legislation?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
124 (69%)		81	2	17

43 A clear majority of respondents were in favour. Only two answered "no" and they did not give a reason for doing so. Respondents commented that the decision should be for the mother or the parents and only if they could not make a decision should another family member be consulted. Some respondents suggested that the legislation should make clear what would happen if there should be a dispute about a decision on disposal. Others suggested that anyone who has been nominated by the parents should be able to decide.

Q16 - Do you agree with the proposal of allowing someone not listed to instruct the disposal of human remains in the case of a stillborn baby, pregnancy loss and the death of a child only on cause shown? Is it appropriate that no similar provision is proposed for the death of an adult?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
114 (63%)		53	20	27

44 There was strong support for this proposal. Slightly more than one-quarter of those who answered this question responded 'don't know', but these tended to be from respondents who had no particular experience of these issues. Respondents were generally in favour of this although there were a number of comments. Some asked that "valid reason" and "cause shown" be defined in legislation.

#### The management of cemeteries

Q17 - Do you agree that Scottish Ministers should have the power to make regulations pertaining to the general management of cemeteries, including giving Burial Authorities the right to take action to address unsafe, damaged and abandoned lairs and memorials?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
135 (75%)		73	22	5

45 There was strong support for this and many of the comments expressed the view that regulations would ensure consistency and improve standards. A few respondents considered that any new regulations should be reasonable and proportionate. A number of respondents, particularly from local authorities, noted that additional funding would be required to allow any powers provided by regulations to be given effect, and suggested that additional costs as a result of regulations might need to be passed on to the public.

46 Many of the comments referred to the need to ensure that regulations should be focussed on health and safety, allowing damaged headstones to be made safe and protecting those of particular historic interest. There was a view that local authority archaeological services should be required to be consulted before any remedial work was undertaken on headstones.

47 A number of respondents were opposed to the introduction of regulations, but their comments suggested they may have misunderstood the purpose of the regulations or the way the question was posed.

Q18 - Alternatively, would the introduction of non-statutory guidance provide a useful option between the current situation where no guidance exists and the introduction of regulations?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
126 (70%)		49	37	14

48 Many of the respondents who answered “yes” to this question did not provide any further information. Those who did considered that guidance was preferable as it would be less rigid and could be adapted to suit individual circumstances. Again, there were a number of respondents who noted the financial implications of making any changes in order to give effect to regulations.

49 Respondents who answered “no” and provided a comment stated that regulation was preferable because guidance could not be enforced. A statutory framework would ensure consistency and reflect current best practice, and guidance should be used only to support regulation.

Q19 - Are there any reasons why a minimum burial depth of 3 feet from the surface to the top of the coffin should not be implemented? Should there be any exemptions?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
129 (71%)		28	64	8

50 The majority of respondents were generally supportive of establishing a minimum burial depth. A number of benefits were identified, including the protection from animal ingress afforded by this depth. A few respondents commented that the minimum depth should apply to home and green site burials as well as those in traditional burial grounds.

51 Those who were not in favour suggested that the burial depth should be based on ground conditions, and that there should be a more flexible approach rather than imposing a rigid limit which may not be possible in all circumstances. Some suggested that 3 feet would be a useful guideline but should not be mandatory.

## Burial and cremation records

Q20 – Do you agree that records and forms relating to burial and cremation in Scotland should be stored and transferred electronically wherever possible? Should any exclusions apply? Should this be applied to all forms of disposing of human remains in Scotland?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
141 (78%)		90	7	3

52 Respondents were strongly in favour of this proposal, although a number expressed concern that electronic systems could potentially become outdated and unable to be accessed in future; some respondents suggested retaining paper copies as back up to address this.

Q21 – Should records and forms relating to burial and cremation be kept for 50 years or is it better that they are kept indefinitely?

53 Most of the responses were in favour of keeping records indefinitely and did not see the benefit of setting a maximum time period. Some suggested that the retention should not be retrospective. Those who thought that a shorter period of retention was preferable questioned whether there would be much demand to see records in future.

## Alleviating pressure on burial grounds

Q22 - Do you agree that the sale of lairs in perpetuity should be ended?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
144 (80%)		39	53	8

54 Responses were split on this question. Some burial authorities who commented stated that ending sales of lairs in perpetuity would help with planning and maintenance of burial grounds, and noted that they had already stopped this practice. Some felt that continuing the sale of lairs in perpetuity is unsustainable and stopping doing so would help alleviate the pressure on demand for lairs. Others commented that it should be left to the discretion of the burial authority as demand for lairs varies considerably in different parts of the country. Some stated that sale in perpetuity should be stopped where the burial authority had less than 10 years of capacity left. Others considered that this should only apply to new lairs and should not apply to lairs sold in perpetuity before the Bill comes into force.

55 Some of those who raised concerns and answered “no” stated that they were against grave reuse, which was not the specific purpose of the question. Some had quite strong views against ending the practice of selling lairs in perpetuity. Other approaches suggested were to charge more for a lair that was sold in perpetuity or to

create an “opt-in” scheme for those who were happy to purchase a lair with a time limit.

Q23 - Does the proposed alternative approach provide a suitable balance between enabling people to buy lairs and safeguarding lairs for the future?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
129 (71%)		37	40	23

56 This question is closely linked to question 22 and again respondents were quite evenly split in their views. Some respondents commented on the need for better record keeping to enable burial authorities to manage supply and demand, as well as encouraging lair owners to ensure that their interest in the lair is kept current by, for example, ensuring that their correct contact details are with the burial authority. If the proposed time –limited ownership was implemented, owners should also be aware of their responsibility to renew their interest. A possible scheme by burial authorities to issue a reminder when the time limit was approaching was suggested. A number of respondents commented on the need to ensure that anyone buying a lair be made fully aware of their obligations and any restrictions on ownership before doing so.

57 A significant number of respondents suggested that 25 years was too short a period and that 50 years was more realistic. However, others felt that 25 years was too long.

Q24 - Should there be any restrictions about to whom the owner of a lair can transfer his or her interest? Should this be restricted to family members?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
123 (68%)		49	43	8

58 Responses to this question were fairly evenly split. Most of those who commented and felt that there should be a restriction considered that this should apply to family members. A few respondents noted that a specific definition of “family” should be provided. Others considered the restriction should apply to family in the first instance, but could extend to anyone else nominated by the lair holder. Those who were against any restriction and provided a comment did not see a need to restrict in any way, arguing that it should be for the lair owner to decide to whom the right could be transferred.

Q25 - Do you agree that Burial Authorities should no longer be able to sell multiple lairs or blocks of lairs to an individual?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
137 (76%)		42	48	10

59 Again responses on this were fairly evenly split, although there was a small majority opposed to the proposal. Those who were in favour of stopping the sale of multiple or blocks of lairs commented that doing so could help increase the use of burial grounds by freeing up more lairs for use earlier, as well as allowing burial authorities to plan supply more effectively. Some commented that buying lairs in advance allowed a family to plan for the future and meant that the need to purchase a lair did not come during the difficult period when someone had died. Some also suggested that it was more likely that the cost of a lair would be cheaper if bought in advance.

60 A few responses suggested that other family members should be permitted to buy or reserve adjoining plots or that an individual could buy more than one lair, but that supply should be managed by the burial authority.

61 Some burial authorities commented that they currently do not sell multiple lairs and some considered that the management of a burial ground is made more difficult if blocks of lairs are sold, because it can lead to large numbers of unused lairs. Some respondents considered that there should not be a blanket ban but that it should be left to the discretion of the burial authority.

Q26 - The Burial and Cremation Review Group recommended that Burial Authorities may refuse to sell a lair if it believes that it is not for imminent use. How long should constitute 'imminent' in this situation? How could this be tested?

62 Some burial authorities advised that they currently only sell lairs at time of need (ie, when someone has died and a funeral is being arranged). Many of the respondents who commented noted the difficulty in defining "imminent" in relation to the use of a lair. This was evidenced by the wide range of periods or reasons on which a decision could be based. Suggested time limits ranged from a few months to 100 years to the lifetime of the lair owner.

Q27 – Do you agree with the proposal that full lairs and partially-full and unused lairs should be considered for reuse in certain circumstances with appropriate safeguards in place?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
137 (76%)		45	47	8

63 Responses were quite evenly split between "yes" and "no" with a significant number either answering "don't know" or not responding to the question. Most

concern about reuse was voiced by individuals. Most who provided a comment were completely against the idea of reuse on principle, although many did not offer any reasons for opposing the proposal. Others commented on the historic value of burial grounds, particularly to those researching their family genealogy, which they considered would be adversely affect should lairs be reused. Concerns over the possible reuse of lairs which are of particular historic interest were also mentioned, although this would not happen due to the safeguards that would be put in place. Many responses which opposed reuse called for safeguards to be offered, although the consultation paper did set out detailed proposals for the process that would need to be undertaken before a burial lair could be reused. Similarly, many individuals opposed the reuse of a lair in which they had an ongoing interest; the consultation paper set out a range of safeguards which would be put in place, including allowing people to object to the reuse of a lair in which they had an interest.

64 It was clear that there were fewer objections to the proposals for making use of unused lairs than there were for reusing partially full or full lairs. Some also commented that possible reuse should only apply to new lairs sold after the legislation comes into force, and that such a possibility is made clear to those purchasing lairs. There were a number of comments that rather than reusing lairs more burial grounds should be created to accommodate future burials, although as the consultation paper noted, this problem had arisen partly because of the lack of available land for new burial grounds.

65 Beyond individuals, other groups did not have the same level of concern around reuse. The majority of local authorities were in favour of reuse although some did state that they would not consider reuse in their area while being generally supportive of the proposals. Again, there was more appeal in making use of unused lairs than reuse of full or partly full lairs. Most groups who commented and did not object were aware that there would be sufficient checks and safeguards put in place.

Q28 - Is a period of 75 years sufficient before reuse of a full lair can be considered?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
136 (75%)		30	63	7

66 The majority of respondents who answered “no” were individuals and of those who made a comment most were against reuse in principle. Others who answered “no” from this group did so as they considered that 75 years was too short. There was a clear view from all respondents that the proposed period of 75 years was not considered sufficient time before reuse should be considered. There was a clear preference for a minimum period of 100 years (or longer). One reason for the longer period suggested by a number of respondents was that people generally live longer now.

67 The minority of respondents answered “yes” and of those who provided a comment, they felt that 75 years was a reasonable period.

Q29 - Does the initial consultation provide sufficient assurance that relevant specialist interests have been consulted? Should any other specific organisations or groups be consulted at this stage?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
132 (73%)		39	30	31

68 Respondents who commented suggested that various organisations should be consulted in advance of considering reuse. These included faith groups, the Commonwealth War Graves Commission (CWGC), local authority archaeological services and local groups which have an association with a particular burial ground.

Q30 - Does the process set out allow for sufficient notice to be given that a lair is being proposed for reuse? Should any particular methods of notification be used in addition to those noted?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
128(71%)		41	39	20

69 Again there was a fairly even split of responses. There were a number of suggestions for how potential reuse should be advertised. These included notices at the grave and at the gates of the burial ground, in local and national press, on genealogy research websites and on local authority websites. A considerable number of individual respondents suggested having a dedicated website where all burial authorities would advertise potential reuse. Some mentioned that CWGC and any local group who have links with the burial ground should be consulted.

Q31 – What can be done to make sure that there are no financial disincentives to opposing the reuse of a grave?

70 This was another question where it was difficult to provide a definitive answer. Most respondents felt that there should be no conditions attached or bar on objecting to reuse. Some considered that there should be grounds for objection set out in guidance to ensure consistency across the country. Some respondents commented that an independent panel should be set up to make decisions on whether objections should be upheld.

Q32 - Other than family members, who should be able to object to the proposed reuse of a lair?

71 The majority of respondents who commented did not think there should be any restriction on who could object. Some who expressed an opinion suggest that the objector should be able to demonstrate a link to the people interred in the lair under consideration. Others suggested that only CWGC, historical societies and those with a link to the burial ground, such as “friends” groups should be able to

object (as well as family). Another suggestion was that any faith group who use the burial ground should have the right to object.

Q33 - What considerations should be made to determine whether an objection from a non-family member is legitimate?

72 Respondents most often commented that the objector should have to demonstrate a valid connection to the deceased or the lair in question. Others suggested that objections from groups such as CWGC and historical societies should be considered (same groups as question 32).

Q34 - If the Burial Authority decides not to reuse a lair on the basis of an objection from a non-family member, should that person become liable for the maintenance of the lair? If not, should the Burial Authority remain responsible?

73 The majority of respondents considered that the burial authority should be liable for the ongoing costs of upkeep in this scenario, although a significant minority considered that the objector should become liable. It was noted that the burial authority is the owner of the land and the family only get the right to be buried; therefore the burial authority should pay for the upkeep.

Q35 - Do you agree that the ‘dig and deepen’ method should be used to allow the reuse of full lairs?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
127 (70%)		48	38	14

74 The majority of respondents who answered “no” were from the individuals group and were those who objected to reuse of lairs. A number of respondents noted the need for due regard for the suitability of the ground and the potential effect on the surrounding lairs. Various responses also suggested that safeguards to protect headstones and memorials should be set out and accurate records retained. A few respondents felt that this method of reuse should only be used to allow other family members to be interred.

75 The majority of respondents who answered “yes” did not add a comment. Those that did noted the need for the procedure to be clearly set out and what needed to be considered in each case before going ahead, such as the suitability of the ground and the state of the remains already interred.

Q36 - Are any other techniques available that should be considered?

76 The majority of respondents answered “don’t know” to this question. Comments that were made included moving the remains to an ossuary<sup>6</sup> or above ground mausoleum<sup>7</sup> and encouraging other methods of disposal such as cremation

<sup>6</sup> A repository for the bones of the dead usually used when burial space is scarce.

<sup>7</sup> A building housing a tomb or group of tombs.

to reduce the need to reuse lairs. A few individuals respondents suggested creating more burial grounds and not reusing lairs at all.

Q37 - Do you agree that headstones and memorials may be reused if appropriate?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
135 (75%)		33	60	7

77 There was strong opposition to the possible reuse of headstones. The majority of responses who were opposed to reuse of headstones were from individuals (80% of those who responded to this question). Most respondents who commented did not agree with reuse of lairs and thought that reusing headstones was inappropriate and disrespectful.

78 Some burial authorities who commented advised that they would not seek to reuse headstones. Other respondents suggested that headstones should only be reused by other family members or with the agreement of the owner. Others suggested that reuse should only be considered for headstones erected after the commencement of the new legislation and it should be made clear to new owners that this could be a possibility in future.

79 Comments from those respondents who did not object to reuse of headstones included introducing clear guidance on good practice and requiring burial authorities should put in place conservation management plans to show how burial grounds would be maintained and any detail their reuse policy.

80 Respondents who did not object to the reuse of headstones suggested that it would contribute to the sustainability of burial grounds, but that methods of reuse should be strictly controlled. A few respondents questioned the suitability of very old or damaged headstones for reuse.

Q38 - Do you agree that headstones and memorials should be removed from lairs if they cannot be made safe? In this instance, what should happen to headstones and memorials that are removed?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
126 (70%)		51	38	11

81 The majority of respondents agreed that headstones and memorials should be moved if they could not be made safe. Some respondents commented that every effort should be made to keep them in place and removing them from the gravesite should be a last resort. The most common suggestions were to either lay them flat at the grave, re-erect them elsewhere in the burial ground or place them against the walls of the burial ground with a marker at the lair advising the new location of the headstone.

82 Many respondents were of the view that it was vital that the information on headstones and memorials should not be lost, even if this meant that only a photographic record was retained in cases where headstones were beyond repair. It was noted that a conservation management plan by a burial authority would help to deal with such situations.

83 A few respondents commented that headstones could always be made safe, which could be done by improving the foundation and plinth. The same respondents argued that decisions about moving a headstone should not be based on cost. Others commented that the burial authority should be given stronger powers to compel the owner of the headstone who is liable for the costs to have it repaired. If this does not happen the burial authority should be able to have the headstone removed. CWGC will replace headstones for which they are responsible.

84 A minority of respondents suggested that those headstones which were beyond repair could be recycled in some way.

Q39 - Are any other approaches for easing the pressure on burial land suitable for use in Scotland? For example, should above ground mausoleums, similar to those found in Europe, be considered?

85 Various alternatives were put forward. Above ground mausoleums was the most frequently suggested option although some respondents commented that they may cost more and may not be popular with people who are more used to traditional burial. It was also noted that mausoleums would still require land. Other suggestions were to use burial chambers, encourage more cremations and to look to newer methods of disposal such as resomation and promession.

Q40 - Is a period of 25 years sufficient before the use of a partially-full or unused lair can be considered?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
135 (75%)		23	69	8

86 The majority of respondents did not consider 25 years to be sufficient for a partially full lair. Some of those who answered “no” stated that they did not agree with reuse. Many respondents had differing views on the time periods which should apply to unused lairs and to partially or fully used ones. Most felt that a longer period was required before reuse of partial or full lairs should be considered. Some respondents did not object to reuse of unused lairs but felt that partial or full lairs should not be reused at all.

87 Some respondents commented that a longer period would be better for partially full lairs as people tend to live longer and there are more likely to be people still alive to object to reuse. The majority of respondents considered that a minimum of at least 100 years was more appropriate. Shorter timescales were suggested for unused lairs, with a number of responses suggesting that 25 years was too long.

Q41 - Is 12 months long enough to advertise the intended reuse of a full lair or use of a partially-full or unused lair? Where should the Burial Authority's intention be advertised?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
134 (74%)		45	42	13

88 A small majority of respondents agreed that 12 months was long enough. Although some felt that this was the minimum that should apply. Suggestion for where the burial authority should advertise the proposed reuse included in the local and national press, on genealogy research websites and on local authority websites. As with question 30, a number of respondents suggested having a dedicated website where all burial authorities would advertise potential reuse. There were also suggestions that notices should be placed in libraries and at funeral directors' premises.

Q42 - Where a Burial Authority intends to reuse a lair having undertaken all appropriate consultations, should it be required to make clear to prospective purchasers that the lair is being reused or is part of a lair that is partly full?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
132 (73%)		92	5	3

89 There was strong support for this proposal. Many of the comments were that it would be unfair to not tell the purchaser and that full disclosure was essential. The purchaser should be given the option of refusing a lair which has been used already.

Q43 - Do the safeguards described provide sufficient reassurance to ensure that lairs are not reused inappropriately? Are any other safeguards required – for example, should the Burial Authority be required to seek a court order to reuse a lair?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
136 (75%)		41	26	23

90 The majority of respondents agreed that the proposals provided sufficient reassurance. Comments included the need to ensure that there are clear guidelines around when reuse may be considered. Most respondents who commented agreed that the process should not need to involve the courts unless there was a dispute which could not be resolved by the inspector or whoever was appointed to make the final decision on reuse. Respondents commented that the process should be fully documented and records kept which would be available for inspection and review.

91 Respondents who answered “no” and who provided a comment tended to say that the court should make decisions on reuse, especially in cases where the owner could not be found to give permission. Some respondents did not object to the reuse of unused lairs but did object to reuse of partial or full lairs without the owner’s agreement and if the owner could not be found the court should make the decision.

92 It was suggested that there should be a requirement to review the new procedure once it has been in place for some time with a view to making any necessary changes or improvements.

Q44 - Should certain categories of grave – such as Commonwealth War Graves – be automatically excluded from consideration for reuse?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don’t know %
135 (75%)		81	12	7

93 There was strong support for exempting Commonwealth war graves and those of other veterans. Some respondents did not agree and there were comments that no grave should be considered more important than that of any other person. Some considered that there is no need for a defined list of types of graves which should be exempt, but that it should be left to the burial authority to decide after consultation with local groups.

94 A number of respondents mentioned excluding graves which are of historic interest, such as those of royalty or people of national or local significance. There was a suggestion that headstones which in themselves had heritage or historic value could be grounds for exempting the lair from reuse.

### Exhumation

Q45 - Do you agree with the proposals to streamline the process for authorising exhumations, including an additionally streamlined process for particular categories of exhumation?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don’t know %
119 (66%)		57	30	13

95 There was clear support for streamlining the exhumation process, although there were few comments. Some respondents did not consider that central government should be involved in the decision making and it would be better decided by an inspector of burial grounds (although there was no proposal that central government would be involved). Responses from Jewish and Islamic groups stated that they are against exhumation generally. Some responses commented that the same rules should apply to home burials while others commented that home burials should be excluded.

96 A few respondents commented that in cases where there is a family dispute about exhumation the matter should be referred to the sheriff to make a decision.

Q46 - Do you agree with the proposal to provide an alternative process where the purpose of the exhumation is to allow the reuse of a full lair, including that the Burial Authority need not seek specific authorisation once it has carried out specified notifications that it intends to reuse the grave?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
111 (61%)		39	49	12

97 The majority of respondents were against this proposal. However, the comments made it clear that the reason for objecting was because the respondents objected to reuse of lairs rather than objecting to the process itself, and the majority of respondents who answered “no” also objected to the reuse of lairs.. A few respondents noted their concerns about how the process would be regulated and wanted reassurance that this would be clarified by the Bill. The respondents who answered “yes” tended not to give a reason for doing so.

Q47 - Do you agree that authorisation for exhumations should be carried out by the inspector, rather than the Scottish Government?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
113 (62%)		62	22	16

98 There was clear support that an inspector should carry out this role rather than the Scottish Government itself (which was the original recommendation made by the Burial and Cremation Review Group). Respondents suggested that the authority of the inspector to make such decisions should be clarified and set out in legislation. Some respondents commented on the need for the creation of a separate inspector of burial grounds. It was noted that there should be no increase in costs to burial authorities whatever process was chosen, and that no part of these proposals should lead to increased costs to the family.

Q48 - Do you agree with the proposed approach for the exhumation of cremated remains?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
112 (62%)		48	31	21

99 A majority of responses supported this proposal. Some respondents suggested that there is no need to legislate for exhuming cremated remains. Some commented that decisions on the exhumation of cremated remains could be delegated from the inspector to approved local authority or burial authority officers.

Q49 – Do you agree that the Bill should set out the process for applying for and authorising an exhumation for archaeological purposes? Should any particular issues be taken into account or conditions applied?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
109 (60%)		89	6	5

100 Respondents were strongly in favour of this recommendation. Some respondents commented that there should be strict criteria on the types of graves that would fall into this category, such as significant historical interest or royalty. The potential risk to public health was noted depending on the cause of death. There were also comments that time limits on how long remains could be exhumed for before being reinterred. A number of respondents commented on the need to ensure that reinterment should be done with dignity and respect.

## Pandemics and mass-fatality events

Q50 - Do you agree that the same power to suspend regulations relating to cremation in response to pandemics or other similar incidents should be extended to any relevant burial regulations?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
110 (61%)		76	6	18

101 Respondents were strongly in agreement with this proposal. Some faith groups asked if there were any alternatives and also requested that they be consulted on possible alternative approaches while policy is still being developed. Nearly all respondents who commented recognised the need to be able to respond quickly to developing pandemic situations to protect public health.

102 Only a few respondents from the individuals group answered “no” and most did not give a reason for doing so. Those who did comment stated that burial and cremation regulations should not be altered in any circumstances.

## Cremation forms and procedures

Q51 - Do you agree with the principle that a single form should be prescribed for applying for cremations or is it preferable that separate forms should be provided for applying for different categories of cremation? Please set out your reasons for your view.

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
101 (56%)		68	16	16

103 There was clear support for having a single form with identifiable sections for each category, and for making the form statutory to ensure consistency. Comments suggested that a single form would be more streamlined and less bureaucratic. It was suggested that the form should be as simple as possible and easily understood, which is in line with the recommendations of the Infant Cremation Commission.

104 Respondents who preferred separate forms suggested that this would reduce possible confusion and stress for families who would be providing the details, particularly in cases where there was an infant death, still birth or pregnancy loss. It was noted that separate forms in such cases would also help medical staff, funeral directors and crematorium staff dealing with parents.

Q52 - Do you agree that each of these categories should be provided for in cremation application forms?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
103 (57%)		77	3	20

105 The purpose of this question was to gauge opinion on whether it was necessary to specifically provide for each of these categories. Respondents were strongly in favour of this proposal although most did not give any comment. While supporting the proposal, some commented that it would need to be very clear which section of the form dealt with which category.

Q53 – Do you agree that Form A should contain these options for any ashes which are recovered?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
99 (55%)		83	4	13

106 There was strong support for including options for the management of ashes in Form A. Some respondents commented that there should not be a maximum time limit before ashes are disposed of, and that it should be for the cremation authority to decide in each case. There was some concern that the options would place too much pressure on crematoriums who were required to retain ashes until a decision was made about their disposal, and that the only options offered should be to offer disposal by the crematorium or return to the family.

Q54 – Do you agree that no cremation which is applied for using Form A should be able to proceed unless the applicant has specified what should happen to the ashes? Do the categories above cover all relevant options or should other options be offered?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
103 (57%)		73	12	15

107 The majority of respondents supported this proposal.

108 A few of the respondents who answered “no” questioned why there was a need to state what was to happen to the ashes, although the consultation paper set out the background to the proposals. It was asked if it would be necessary to state what was to be done with the remains should promession or resomation be the method of disposal.

Q55 – Do you agree that Form A should state that it may not be possible to recover ashes after the cremation of a very young child?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
103 (57%)		71	15	14

109 Respondents were strongly in favour of making clear the possibility of the non-recovery of ashes in such cases. It was suggested that the legislation should include a definition of “very young child” or other categories. It was suggested that there should be sensitively worded guidance to make absolutely clear to parents (and other relatives) why the recovery of ashes may not be possible in certain circumstances.

110 Some responses asked what safeguards could be put in place to safeguard crematoria not using processes to promote recovery of ashes. One respondent noted that the remains of very young children are recoverable with promession.

Q56 – Is the process for enabling a person other than the applicant to collect any ashes recovered appropriate? Are the timings proposed suitable?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
104 (57%)		71	9	20

111 Most respondents agreed with this question but there were very few additional comments. Comments which were received included allowing the applicant to nominate anyone they chose to collect the ashes on their behalf. Some respondents considered that the time limits were too short. Others suggested that it should be up to each cremation authority to decide on how long to hold ashes and it was generally felt that there should be a minimum but no maximum time limit set out in legislation.

112 Respondents who did not agree and who commented said that a cremation authority should not be required to retain ashes indefinitely and that if the relatives did not collect them or arrange to have them collected after being notified, the cremation authority should be able to scatter them.

Q57 - If ashes are left at the crematorium, how long should be required to elapse before the crematorium can make arrangements to dispose of the ashes?

113 This question elicited various suggestions. These ranged from 28 days to 10 years, although 8 weeks was the most common timescale suggested. Some suggested that the current timescale should be maintained, and one respondent asked if uncollected ashes could be sent to the family rather than having to be collected in person.

Q58 – Do you agree that the application should be countersigned by someone who is not a member of the applicant’s family and who is not involved in the arrangements for the cremation? Will this prove impractical? Should the legislation specify categories of people who may countersign cremation application forms?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don’t know %
98 (54%)		45	21	34

114 Slightly more than half of all respondents answered this question. Although a majority of those who answered supported the proposal, there appears to have been some misunderstanding about the purpose of the countersignature. The proposal was to ensure that a person not emotionally or professionally involved in the funeral arrangements could countersign the application form to declare that the applicant had made a decision and fully understood the implications of the decision. Some respondents appeared to interpret the purpose of the countersignature to be to confirm the identity of the applicant, and suggested that an appropriate person would be the same as those who can currently countersign a passport application. However, others questioned how practical it would be to find a suitable person and noted that this might be difficult, particularly in cases of early pregnancy loss.

115 Respondents who answered “no” and who offered further comment stated that a countersignature was unnecessary and would place additional stress on a families. A few respondents stated that the funeral director should not countersign, which is in line with the proposal.

Q59 – Should application for other categories of cremation require a countersignature?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don’t know %
96 (53%)		44	30	26

116 Although the majority of respondents were in agreement, there were a considerable number of comments and concerns raised. Some who believed that countersignatures should be introduced said doing so would help to prevent disagreements, but others stated that this would not stop disputes.

117 Comments from those who disagreed included some that said countersigning did not serve any useful purpose or was of limited benefit. A few commented that some sort of photo ID was preferable to countersigning, although this appears to have misinterpreted the purpose of the countersignature.

Q60 - Given the similarities between the proposed forms, would a single application form applying to the cremation of people born alive and stillborn babies be appropriate, allowing for specific sections of the form to be completed depending on the kind of cremation? Would separate forms for each category be more appropriate?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
89 (49%)		62	23	15

118 The majority of respondents were in favour of having a single form but some commented that it would be a challenge to draft a form that would cover all categories and was well set out.

119 Some who disagreed and preferred separate forms noted that the questions asked on the current Form A can be very upsetting for the mother. Some suggested there should be separate forms for each category or at least a separate form for pregnancy loss and stillbirth.

Q61 - What information should be considered essential for the cremation application?

120 A wide variety of suggestions were proposed for inclusion in the application form. The standard information which was most often suggested included details of the deceased; details of the applicant and their relationship to the deceased; the cause of death (esp if high risk); information on any surgical implants; and how ashes should be managed. Others suggested that the information should be the same as is included for the certification of death.

Q62 - What is the best way to enable Cremation Authorities to undertake this scrutiny? What level of seniority is appropriate for this role? Should the crematorium manager be legally responsible for this scrutiny, even if the actual scrutiny is delegated to a suitably senior member of staff? Should a senior Cremation Authority staff member be required to countersign the form to confirm that all legal requirements have been met?

121 The majority of respondents who commented suggested that responsibility should lie with the cremation manager or some other senior staff, but that they should be able to delegate the responsibility to other staff. Some commented that clarity was needed on what was to be scrutinised: for example, while it would be reasonable to check that the form had been completed correctly and there were no omissions, the crematorium manager should not be expected to have to verify the right of the applicant to complete the form. Others suggested that the accuracy of the form should be checked by medical staff rather than by those at the crematorium. Some respondents suggested that it should only be necessary to check a random sample of forms in detail.

Q63 – Is there any need for the introduction of statutory forms for applying for a burial?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
105 (58%)		44	31	25

122 Only 58% of respondents to the consultation answered this question, but the majority of those who did so were in favour of introducing burial forms. Comments included the need to ensure that such forms are clear and consistent, and mirror the forms for cremation. Some burial authorities who commented stated that they already used their own forms so did not anticipate many problems in adopting statutory forms.

123 Comments from those who opposed the recommendation stated that introducing burial forms would possibly increase costs to families. It could also increase delays which would add to the distress of relatives at an already stressful and upsetting time. One respondent noted that the changes to death certification introduced in May 2015 were done partly to reduce bureaucracy.

#### Pregnancy loss

Q64 – Is a comparable process for the burial of a pregnancy loss of less than 24 weeks gestation required?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
97 (54%)		51	23	26

124 Slightly more than half of all respondents answered this question (indeed, the response rate to the questions about pregnancy loss was consistently low because many people who had no experience or knowledge of the issue chose not to respond. Others with little previous understanding of this subject chose to answer the questions as 'don't know'). Of those who answered this question, the majority support the introduction of a comparable process, with 23% of those who responded disagreeing. Opposition to the proposal tended to be on the basis that the introduction of such a process would increase bureaucracy.

Q65 - Is an alternative process required before the cremation of a pregnancy loss where there is no medical certificate?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
87 (48%)		47	20	33

125 The majority of those who answered this question supported the introduction of some sort of alternative process. However, it was acknowledged that it would be difficult to develop such a process where there was no medical certificate.

Q66 – Do you agree with these proposals for the form used to seek the mother’s agreement to the hospital organising the cremation of a pregnancy loss of less than 24 weeks’ notice?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don’t know %
86 (48%)		74	7	19

126 Almost three-quarters of those who responded to this question supported the proposal. Only 7% disagreed. Very few comments were offered – it was suggested that any forms needed to record the mother’s express consent and to be worded as simply as possible to avoid any being overly bureaucratic.

Q67 - Do you agree with the proposal for who should have the right to instruct the disposal of the remains in the event of a pregnancy loss of less than 24 weeks gestation? If not, in whom should this right be vested?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don’t know %
91 (50%)		68	8	24

127 The majority of respondents to this question supported the proposal. A wide variety of potential people who should be able to instruct disposal were offered, but little clarity emerged. A number of issues were identified, including the difficulty of protecting the mother’s privacy.

Q68 - Do you agree with the proposal to provide a list of people who have the right to instruct the disposal of the remains in the event that the woman is unable to do so? If so, who should be included in this list?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don’t know %
87 (48%)		82	2	16

128 There was overwhelming support for the provision of a list; many of the same issues identified at question 67 were again noted.

Q69 – Should there be a maximum time for which a pregnancy loss can be stored by a hospital before it is cremated as part of a shared cremation? How long should this be?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
54 (30%)		78	4	18

129 Again, there was very strong support for the proposal. Various timescales were suggested, but no single period emerged unanimously. One response suggested that an upper time limit was less important than a minimum period during which pregnancy losses should be kept.

Q70 – Should the forms for the cremation of a pregnancy loss of less than 24 weeks gestation be statutory? If not, why not?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
94 (52%)		70	8	22

130 There was very strong support for making these forms statutory, with the benefits of consistency and legal responsibility identified by many who commented on this question.

Q71 - Should the form used by the hospital to release a pregnancy loss to the mother be statutory?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
92 (51%)		68	12	20

131 Those who answered this question were strongly in favour of this form being statutory, although some suggested that a letter from the relevant NHS Board would be sufficient.

Q72 – Should there be a prescribed form for the application for cremation of a pregnancy loss of less than 24 weeks gestation where the cremation is organised by the mother?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
88 (49%)		72	8	20

132 Those who answered this question were strongly in favour of this form being statutory. At least one response suggested that any such form should extend to

pregnancy losses which occur outwith a medical setting or without any medical instigation.

Q73 – Do you agree that the application should be countersigned by someone who is not a member of the applicant’s family and who is not involved in the arrangements for the cremation? Will this prove impractical? Should the legislation specify categories of people who may countersign cremation application forms?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
37 (32%)		41	36	23

133 Only 32% of respondents to the consultation answered this question. There was a relatively even split between those who answered ‘yes’ and those who answered ‘no’, with a small majority in favour of the proposal. While many recognised the potential benefit of this proposal, a number of respondents suggested that this would add an unnecessary bureaucratic requirement which would be difficult to meet, particularly at a time of trauma and grief.

#### Cremation register

Q74 - Is this list comprehensive? Should any other information be required to be recorded in the Cremation Register?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
98 (54%)		80	3	17

134 Respondents were strongly in favour of setting out what information should be included in the register. Most agreed with the list set out in the consultation paper, although a number of additions were suggested. These included stating the relationship of the applicant to the deceased, any religious affiliation of the deceased, where the ashes are interred or have been scattered and contact details for the applicant. One respondent questioned why the occupation of the deceased would be required.

Q75 – Does this proposal provide sufficient confidentiality in the case of the cremation of a pregnancy loss?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
91 (50%)		69	6	25

135 Although there was general agreement that confidentiality would be protected by the proposals in the consultation paper, some respondents suggested that the register should not be made public immediately. Some also questioned whether the reason for a pregnancy loss (for example, a termination chosen for social reasons or

a spontaneous pregnancy loss) would mean that the parents would want the information to be kept confidential. It was asked if women who experienced a pregnancy loss could choose to be identified in the register.

Q76 - Are there any reasons why the Cremation Register should not be a public document, assuming that appropriate data protection and confidentiality considerations are in place?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
99 (55%)		6	80	14

136 Very few responses did not agree that the cremation register should be public; no reasons were given for preventing the register being a public document. Some comments about the operation of the register included keeping the information confidential for a period before allowing public access and redacting sensitive personal information.

Q77 - Do you agree that the Cremation Register should be retained indefinitely?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
101 (56%)		94	3	3

137 There was clear support for this although there were only a few comments. It was noted that there is no reason not to retain records indefinitely, particularly when they can be stored electronically. Provision should be made to ensure that records are still available if a crematorium ceases to operate.

#### Accreditation of Cremation Authority staff

Q78 - Should the accreditation requirements described in paragraph 176 be set out in a Code of Practice or in legislation?

138 There appeared to be some confusion over how to answer this question. Some respondents either answered “yes” or “no” and others picked one of the options. However it was clear from the numbers who answered “yes” or picked one and from the comments given that the majority were in favour of accreditation being prescribed in legislation because of the consistency it would provide.

Q79 - How should a person’s accreditation be checked? How often should a person’s accreditation be checked or renewed?

139 There was strong support for the inspector to take on responsibility for checking accreditation. Others suggested that responsibility should lie with the employer or with appropriate regulatory or trade bodies. Some commented that there should be a publicly available accreditation register. A few respondents suggested that the inspector should liaise with the Institute of Cemetery and

Crematorium Management (ICCM) and the Federation of Burial and Cremation Authorities (FBCA) to develop a comprehensive training and accreditation programme and register.

140 There was a range of suggestions for how often accreditation should be checked. These varied from quarterly to once every five years. The most frequent suggestion offered was annually. Some who commented suggested that accreditation should be withdrawn if an individual failed to meet required standards.

#### Inspector of crematoria

Q80 - Do you agree that the role of Inspector should be responsible for crematoria and cemeteries?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
103 (57%)		83	8	9

141 There was strong support for extending the inspector responsibility to include burial grounds. Some respondents commented on the volume of work involved in taking on both and suggested that it would therefore be better to have more than one inspector covering all of Scotland. Some commented that an inspector would be able to raise standards and address bad practice, which would be beneficial to the public. One respondent noted that it would be beneficial if the inspector could deal with complaints from the public about the service they had received.

142 Respondents who were against the proposal and commented on it stated that there was no need for an inspector to have responsibility for crematoria, who should be responsible for managing their own performance. Rather, the role of the inspector should be only to monitor performance in line with any guidelines or to be available to be consulted for advice.

Q81 – Do you agree that the Inspector should be responsible for particular additional functions, as described? Are there any other functions that the inspector should carry out?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
98 (54%)		76	11	13

143 A few respondents felt that an inspector should be able to inspect all aspects of the funeral industry. Some suggested that the inspector should deal with complaints and issue warnings accordingly, and should prepare an annual report. It was suggested that any inspection role should be done by experts in the field concerned. A few respondents considered that there should only be an inspector of crematoria and not for burial grounds.

Q82 - Should there be a formal schedule of inspection to ensure that every Cremation Authority and Burial Authority is inspected at least once during a given period?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
100 (55%)		91	5	4

144 The clear majority of respondents were in favour of the inspector carrying out regular inspections. Some thought that the inspector should be able to carry out unannounced inspections as well, particularly if there had been a complaint made about a particular cremation authority or burial authority.

145 Comments from those who did not agree included that the inspector should only carry out an inspection in response to a complaint. Another suggested that there should be only an initial inspection to ensure that the authority was operating correctly. One response suggested that there was no need for an inspector because cremation authorities were already well run.

146 A few respondents commented that there should be safeguards in the Bill to ensure that any additional costs involved are not passed on to the public.

#### Regulation of the funeral industry

Q83 - Would regulation of the funeral industry be beneficial? What would regulating the industry achieve that cannot be achieved already? What are the disadvantages of regulating the funeral industry?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
109 (60%)		73	21	6

147 There was clear support for some sort of regulation being introduced. Some comments identified the possibility of improved standards and consistency which would lead to increased public confidence in the profession. Some argued that regulation could be used to control excessive charging and standardise costs.

148 Concerns were raised, including that while regulation could be beneficial it might lead to increased costs being passed on to consumers. Others commented that formal regulation would replicate existing licensing arrangements (although there are no licensing arrangements at the moment, apart from a new crematorium having to inform Scottish Ministers that it is about to begin operating) and that existing processes were sufficient. It was noted by one respondent that there are few complaints about the funeral industry currently, suggesting that regulation was unnecessary. A few respondents felt that regulation would increase bureaucracy without sufficient benefit.

Q84 - If the funeral industry were to be regulated, what approach would be most useful for Scotland? Do the examples given from other jurisdictions provide useful models, ranging from a fully licensed system to a process of self-regulation?

149 There were various suggestions for how to regulate the funeral industry. Some suggested that there should be a requirement to register with a recognised trade or industry body and anyone who is not suitably qualified and registered should not be allowed to operate in the funeral industry. Some commented that the industry should publish standards that people would be required to meet, with appropriate sanctions for not doing so.

150 Respondents who answered “no” and who commented raised concerns about costs, stating that self-regulation would have the lowest cost impact.

Q85 - Do you agree that an additional inspector role, separate from the Inspector of Crematoria, would be required to support a regulatory regime?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
107 (59%)		51	22	27

151 The majority of respondents supported the introduction of various inspector roles beyond the existing Inspector of Crematoria. A few suggested that there should be a lead inspector for each branch of the funeral industry with sufficient administrative support.

152 A number of comments from those who did not agree mentioned the potential for delays due to additional bureaucracy and possible increases in costs.

### Funeral poverty

Q86 - Do you agree with the proposal that Local Authorities should have a legal duty to ensure that their up-to-date burial and cremation costs are published on their website in clear and accessible way?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
121 (67%)		95	4	1

153 There was strong support for this proposal and that information about costs should be easily available. Many of the respondents from within the funeral industry advised that they already publish their costs online. Many who commented also suggested that all who are involved in the funeral industry should be legally required to publish information about their costs, including private companies. It was noted that this could be considered to be commercially sensitive information but that it would be good practice to publish it.

154 Some who did not agree did not provide a comment. A few respondents who did not agree commented that they did not think legislation was necessary to ensure that costs are published.

Q87 - Should Local Authorities be required by law to charge funeral costs on a cost-recovery basis only?

Responses to this question & % of total (181)	Of those who replied	Yes %	No %	Don't know %
118 (65%)		59	23	18

155 It was noted by many respondents that the cost of the burial or cremation itself were already published and that these are only one cost element of arranging a funeral. It can often be the peripheral costs, such as flowers and cars, that increase the overall funeral cost. A few respondents commented on the need for further research to assess the impact on customers and local authorities.

156 A few commented that charges for burials and cremations should not be able to be used to generate income for a local authority. Some local authorities noted that their current fees were below cost-recovery.

Q88 - What else could be done to reduce funeral costs and ensure that they remain affordable for everyone?

157 There were various suggestions for reducing funeral costs. Many of those who commented recognised that more could be done by individuals to plan and make arrangements for funeral costs in advance, such as taking out a funeral savings plan. In conjunction with this, it was suggested that the Scottish Government should help to raise awareness of the need to plan in advance for funeral costs. A number of respondents suggested that funeral directors should offer low-cost funeral packages.

#### Any other relevant issues

158 Only a few comments were offered. A number of local authorities identified current difficulties with funerals arranged under the National Assistance Act 1948. This happens most commonly where the deceased's family is unable to afford to pay for a funeral. Local authorities noted a number of problems with how this operates. This will be considered in developing the Bill.

## Conclusion

### Overview

159 The consultation process has demonstrated strong support for the vast majority of the proposals set out in the consultation paper. The key concepts set out in the consultation paper have been accepted, including the need to update and modernise the legislative framework governing burial and cremation; consideration of new and emerging methods of disposing of the deceased (such as natural burial, resomation and promession); the pressing need to improve the processes involved in applying for a cremation, including ensuring that there is clarity about the implications of particular processes; and the value in providing an unambiguous route for the applicant for a cremation to state what should happen to the ashes. The consultation also indicated support for regulating the funeral industry, and for addressing funeral poverty.

160 There are a number of areas where additional policy development will be required, either to address detailed proposals that have emerged from the consultation or to reconsider proposals in light of the response to the consultation.

### Reuse of burial lairs

161 There was clearly considerable concern about the concept of allowing burial lairs to be reused in certain circumstances, and some of the related proposals, particularly from members of the public who responded to the consultation. Given the sensitivity of this topic, this is perhaps unsurprising. The vast majority of individuals who responded to the consultation answered only those questions relating to burial lair reuse, and most of them opposed the proposal, or at least called for more information about the safeguards that would be put in place to govern the process. Most organisations who responded to this issue supported the proposal, although there were a number who did not, including a small number of burial authorities and the National Association of Funeral Directors.

162 As discussed at paragraphs 63 – 65, a variety of reasons were put forward in opposition to the reuse of lairs. A number of people believed that human remains should not be disturbed for any reason. Others were concerned that lairs in which they had an ongoing interest would be reused without the opportunity to object. A number of responses argued that safeguards needed to be set out to detail the process by which lairs would be selected for reuse. Some responses suggested that reusing lairs would harm the heritage and research value of the burial grounds in which they were located.

163 Although there were a number of well-argued objections to the reuse of burial lairs, the fundamental purpose of the proposal remains valid. In originally suggesting the introduction of lair reuse, the Burial and Cremation Review Group noted the large number of abandoned or unused burial lairs in Scotland and the effect of this on some burial grounds. Key to the Group's recommendation was improving the sustainability of burial grounds, helping to bring back into use some burial grounds which have fallen into disrepair and disuse. In addition, individual lairs which are either abandoned or have never been used potentially offer valuable burial space,

allowing people to buy lairs in burial grounds which might otherwise have been unavailable. The Group also suggested that reusing burial lairs would help ease the pressure on burial grounds that is prevalent in some parts of Scotland.

164 The consultation paper set out in detail the proposed process burial authorities would be required to undertake before being able to reuse a burial lair. This would offer people the opportunity to object to the reuse of a particular burial lair, and will enable burial authorities to take steps to try to identify the owner of a lair. Since the only burial lairs that would be initially suitable for potential reuse are those which appear to have been abandoned (eg, where the lair is overgrown or the headstones or other memorials are damaged or have fallen, or where the burial authority does not have current details of the owner) the notification process might help to identify the owner, enabling the burial authority to update its records and giving the owner the opportunity to repair the lair as necessary and undertake regular maintenance.

165 Various consultation responses suggested additional safeguards, particularly the early involvement of archaeological interests, as well as additional ways in which burial authorities might notify people of its intention to reuse a burial lair.

166 The Scottish Government believes that the process described in the consultation paper, together with various suggestions made through the consultation process, offer sufficient safeguards to ensure that the reuse of burial lairs should be included in the Burial and Cremation (Scotland) Bill. While remaining a sensitive subject, the benefits of allowing the reuse of burial lairs warrant the proposal being taken forward in legislation, supporting the sustainability of burial grounds and making burial a more affordable and viable option in places where there is severe pressure on burial land. If the policy came into force it would be an option for burial authorities to use in their management of burial grounds; it would not be mandatory.

167 The Scottish Government will continue to engage with stakeholders to further develop this policy with a view to taking account of the issues raised during the consultation process. This should ensure that the Burial and Cremation (Scotland) Bill contains provisions which offer a robust process for the reuse of lairs with safeguards built into every stage.

#### Headstones and memorials

168 Related to the reuse of burial lairs, the consultation paper proposed that headstones and memorials associated with such lairs might be suitable for reuse. This proposal was designed to help secure the sustainability of headstones, particularly where the abandonment of the lair had led to the deterioration of the headstone or memorial. A number of objections were raised through the consultation process, including the risk that reusing a headstone might erase or otherwise obscure the original inscription. Some also made the point that a headstone which had not been maintained might not be suitable for reuse.

169 While there was some support for the reuse of headstones, the arguments against the proposal identified a number of tangible problems. Accordingly, this proposal will not be taken forward in the Bill, although further policy proposals will

need to be developed for situations where headstones are in such poor condition that it is not possible to repair them or make them safe.

170 The majority of recommendations made by the Burial and Cremation Review Group and the Infant Cremation Commission were set out in the consultation paper as developed policy proposals. A number of other topics were less well-developed and the consultation paper sought views to inform how they might be taken forward.

171 The consultation paper discussed the potential regulation of the funeral industry, and noted how this is done in various countries. There was considerable support for introducing regulation, but no real clarity on the model that might be most effective in Scotland. The Scottish Government will continue to engage with stakeholders to consider ways to introduce regulation of the funeral industry.

172 In 2015 the Scottish Government used powers in the Cremation Act 1902 to appoint Scotland's first Inspector of Crematoria. The Burial and Cremation (Scotland) Bill will expand those powers, but the consultation paper also proposed the introduction of new inspection powers, potentially covering burial grounds and the funeral industry generally. There was broad support for these proposals, and the Scottish Government will continue to develop policy proposals, working with relevant stakeholders, to include provisions in the Bill.

173 The consultation paper also asked questions about ways to tackle funeral poverty. Relatively few respondents answered this question in any detail, but those who did made a number of interesting suggestions. There was clear support for addressing the rise costs of funerals generally, but few of the proposals put forward are suitable for legislation. Nonetheless, the Scottish Government will explore ways to develop these proposals in non-legislative ways while continuing to examine ways in which funeral costs might be tackled in the Bill.

## **Next steps**

### Ongoing policy development

174 There are a number of policy proposals which require further development. The Scottish Government will continue to work with various stakeholders to support the development of these subjects, and to act as a sounding board for other proposals. There are various channels for this, including the National Cremation Committee established in response to the Infant Cremation Committee's recommendations, as well as various professional and industry bodies. This process will continue until the Bill is introduced into the Scottish Parliament.

### The legislative process

175 The Scottish Government will draft the Burial and Cremation (Scotland) Bill for introduction to the Scottish Parliament during the 2015-16 session, taking account of the views expressed during the consultation process.

## **Appendix 1: The respondents**

Organisations which responded to the consultation

Aberdeen City Council  
ALGAO: Scotland  
Alice Barker Trust  
Alwaleed Centre for the Study of Islam in the Contemporary World - University of Edinburgh  
Archaeology Scotland  
Association of Anatomical Pathology Technology  
Borders Crematorium Melrose  
Brodies Funeral Services Ltd  
Children's Hospice Association Scotland  
Citizens Advice Bureau - Scottish Working Group on Funeral Poverty  
Citizens Advice Scotland  
Comhairle nan Eilean Siar  
Commonwealth War Graves Commission  
COSLA  
Craigowl Communities  
Dundee City Council  
East Ayrshire Council  
East Dunbartonshire Council  
East Lothian Council  
Edinburgh Crematorium Ltd  
Falkirk Council Bereavement Services  
Fife Council  
Glasgow City Council  
Healthcare Improvement Scotland  
Heath Architects  
Highland Council  
Houndwood Crematorium  
Humanist Society Scotland  
Institute of Cemetery and Crematorium Management  
Inverclyde Council  
Marie Curie  
McInroy & Wood Ltd  
Midlothian Council  
Mortonhall  
Muslim Council of Scotland  
National Association of Funeral Directors  
National Committee on Carved Stones in Scotland  
Newington Cemetery Group of Grange  
NHS Education Scotland  
NHS Lothian  
North Ayrshire Council  
North Lanarkshire Council  
Orkney Islands Council  
Parkgrove Crematorium Ltd  
Perth & Kinross Council

Renfrewshire Council  
 Royal College of Midwives  
 Scotmid Co-Operative Funeral Directors  
 Scottish Association of Family History Societies  
 Scottish Churches Committee  
 Scottish Council of Jewish Communities  
 Scottish Genealogy Society  
 Scottish Older People's Assembly  
 Scottish Partnership for Palliative Care  
 Seniors Together in South Lanarkshire  
 Shetland Islands Council  
 Shoosmiths LLP  
 South Lanarkshire Council  
 St Mary's Parish  
 Stirling Council's Cemeteries Service  
 The British Institute of Funeral Directors  
 The British Institute of Funeral Directors  
 The Chartered Institute for Archaeologists  
 The City of Edinburgh Council  
 The Cockburn Association  
 The Co-operative Funeralcare  
 The Cremation Society of Great Britain  
 The Federation of Burial & Cremation Authorities  
 The Friends of Glasgow Necropolis  
 The Miscarriage Association  
 The Moray Council  
 The Roman Catholic Archdiocese of Glasgow  
 The Scottish Borders Council  
 The Stillbirth and Neonatal Death Charity (SANDS)  
 West Dunbartonshire Council Burial Grounds/cemeteries  
 West Lothian Council

Individuals who responded to the consultation<sup>8</sup>

Aitken-Kemp	Ian
Allan-Balavoine	Judith
Allen	Andrea
Allen	John F
Attwood	James
Ayorinde	Seun
Barclay	Gordon
Barron	Alan
Benzie	Laura
Birrell	John
Bisset	Jean
Brial	Kate
Brodie	Robert
Brotherston	William

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<sup>8</sup> A number of respondents requested that their details remain anonymous for the consultation. To respect this and for data protection reasons the names of these individuals have not been included on this list.

Brown	William Imray
Brown	Kay
Buscu	Hazel
Campbell	Isabel
Campbell	William
Carpenter	Coleen
Cochrane	Barbara
Dalton	Peter
Davie	Hector
Donald	Marion
Douglas	Peter
Duffy	Rev. A
Eden	RH
Edgar	Terence
Edward	Roger
Erskine	TJD
Evans	Teresa
Fitzsimmons	Sara
Franklin	Margaret
Fraser	Anne
Gallagher	Daniel
Geddes	David
Gibb	Jean
Glass	Angus
Graham	Tom
Grant	A
Grant	A
Gray	George
Hardie	Ewen
Harris	Marilyn
Harty	Anne
Henderson	William
Hollis	L M
Hunter	Stephen
Illingworth	Anne
Keen	Helen
King	Jason
Lewin	Patricia
Little	Roger
Livingstone	R B
Love	Joan
Lovie	John
MacKenzie	Rhoda
MacKie	Ian
MacLean	Kate
MacLeod	John
Maher	Denise
Mansfield	M J
Marshall	Mary
McArtney	Patrick

McBain	David
McCall	A
McConnachie	Robin
McCrae Paveley	Sheila
McFadyen	Frank
McIlroy	William
Mead	E C
Meston	Diane
Metcalfe	VCK
Miller	Tracy
Mitchell	Glyn
Mitchell	Derek
Moore	William
Morton	Steven
Muirhead	Donald
Munro	Roderick
Murren	Joseph
Patton	Margot
Peissel	Geraldine
Petrie	Sheila
Phanco	Graeme
Pockington	David
Rimmer	Barb
Scott	John
Sellars	Jackie
Shaw	Mark
Sheperd	David
Simpson	D
Sturat	Callum
Sutherland	Shirley
Sweetman	Debra
Taylor	Kristina
Taylor	Denise
Taylor	WJ
Thom	Irene MacKie
Webb	John
White	John
Whyte	AJD
Wilson	Alastair
Wilson	R C
Wilson of Kilwinnet	John
Wiseman	A S
Young	Brian



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