

Information on deaths involving British nationals in South Africa

The death of a relative or friend is always distressing. If it happens abroad the distress can be made worse by practical problems or foreign judicial policy. You may be uncertain what to do next or who to contact for advice. Consular Directorate in the Foreign & Commonwealth Office and our High Commission in Pretoria are ready to help in any way that they can.

These notes are designed to help you through the arrangements you will need to make. While care has been taken in compiling these notes, the British High Commission in South Africa or HM Government accepts no legal liability for their contents.

You should be aware that South African procedures could differ from those in the United Kingdom. The police are normally notified when the death of a foreign national occurs, but we are seldom notified as promptly as we would like. While we understand your need to make arrangements as quickly as possible, this may not always be possible.

Standard Procedures

Following the death of a British national in South Africa, the next of kin, or a formally appointed representative, must decide whether to:

- Repatriate the deceased to the UK,
- Have a local burial,
- Have a local cremation and the ashes repatriated to the UK or
- Have a local cremation and the ashes scattered in South Africa.

If the deceased was covered by travel insurance, it is important for the next of kin to contact the insurance company without delay. If there is no insurance cover, the cost of repatriation or cremation will need to be met by family or friends. The services of an international undertaker are normally necessary to help with these arrangements. The Foreign and Commonwealth Office or our High Commission in South Africa does not have a budget to meet these costs. The next of kin should also be aware that all hospital bills **must** be paid before the body can be released.

Consular staff in London will pass on to the High Commission in South Africa the wishes of the next of kin about disposal of the body, and details of who is taking responsibility for the costs involved. We will do our best to ensure these wishes are carried out.

It is important to remember that if the deceased was travelling with a tour operator, they can be a valuable source of assistance and advice.

Your choices

Repatriation

If the deceased was covered by travel insurance, the insurance company will normally have a standing agreement with an International funeral director in Britain to arrange repatriations. If the deceased is not covered by insurance, the next of kin will need to appoint an international undertaker in the UK.

The local undertaker in South Africa, working with the International undertaker, will be able to arrange a locally registered death certificate, a certificate of embalming, and a certificate giving permission to transfer the deceased to the UK, which are required to repatriate the body. Locally issued certificates are in English and therefore translations are not necessary. Depending on flight availability and possible formalities with the local authority repatriations can usually be carried out within one week.

We appreciate that the next of kin may not always live in the UK though repatriations can be arranged to most countries in the world.

(Please note that additional charges may be made by the UK funeral director if acting as consignee in the UK and some airlines do not handle their own freight, which may lead to extra charges by the freight company at the airport.)

Local Cremation

Cremations are undertaken in South Africa and facilities are usually well equipped and widespread. A cremation can take up to 24 hours to arrange.

If the next of kin choose to have a local cremation and wish to take the ashes back to the UK themselves, they can do so with minimal bureaucracy. The local undertaker will be able to arrange the necessary paperwork and certificates for the return of the ashes to the UK. It is advised that enquiries are made with the carrying airline concerning any procedure they may be in place. Relatives should be aware that the urn may also contain bones as well as ashes, which could be upsetting to the next of kin.

Local Burial

A private burial can be arranged through the local undertaker. If private funds are not forthcoming or a next of kin cannot be identified within a certain period the local mortuary will look to undertake a paupers burial on behalf of the state.

Things you need to know

Storage

The body will normally be held at a local hospital or state mortuary. Standards of storage vary. There are facilities with temperature controlled storage in most parts of South Africa but in rural areas this may not be available. Although we will do everything we can to ensure the deceased is placed in appropriate storage we cannot guarantee the condition of the body. We can arrange for the next of kin to view the deceased but you should be aware that conditions can be different to the UK should a private funeral director not be appointed to handle matters.

Autopsies

It is normal for autopsies to be conducted when there is a doubt as to how the deceased died. They are carried out by appointed forensic doctors / pathologists. This can happen without the authorisation of the next of kin and may take place as soon as the deceased reaches the morgue. However, the authorities may be able to accommodate any special requests made by the next of kin. During an autopsy, organs can be removed for testing, including toxicological studies, at the discretion of the doctor, without consent of next of kin. Next of kin may not be informed about the removal of any organs or retention by the South African authorities. The next of kin may be charged for this. We understand that this can be upsetting and we will do everything that we can to keep you informed and prepare you. Please also note that forensic analysis such as toxicology testing can take up to two years pending an accurate cause of death and completion of the post mortem report.

Inquests

If the circumstances of the death were not unusual identification and registration of the death is permitted and the body will be released for repatriation or cremation within a few days. However, if the police are not satisfied after a preliminary examination of the facts, an autopsy may be required.

In cases of sudden or unexpected death whether by accident or misadventure or where a person dies unattended, the police will prepare an initial report of their

findings. However, if the death was caused by a criminal act the police will conduct an investigation. It will then be at the decision of the State Prosecutor to decide whether to prosecute. This could delay the release of the body.

UK Coroners

When a body is repatriated to England or Wales, a coroner will hold an inquest only if the death was violent or unnatural, or if the death was sudden and the cause unknown. In some countries the cause of death is not given on the death certificate, and coroners do not generally have access to judicial files from other countries. Consequently coroners may order a post-mortem as part of the inquest.

Coroners can request copies of post-mortem and police reports from the South African authorities via the FCO in London. However, these are sometimes only provided once any judicial proceeding has been completed. In some instances this can be a lengthy period.

In Scotland, the Scottish Executive is the responsible authority. However, they are not obliged to hold an inquest into the cause of death. Coroners in Northern Ireland are also not obliged to hold an inquest into cause of death. However, next of kin can apply for a judicial review if no inquest is held.

Release of Information

Obtaining information concerning a death, other than post-mortem and police reports, can be restricted. Requests for this information should be made through a legal representative. Please see our lists of local lawyers if you would like more information.

Personal Possessions

The British High Commission does not take responsibility for repatriating the deceased's personal possessions. Where possible we will take inventory of such items, but we would look to the next of kin to make appropriate arrangements for the return. In some instances it may be possible for possessions to be returned with the body. If the deceased was permanently resident in South Africa at the time of death then an appropriate private legal representative will need to be appointed by the next of kin to attend to matters pertaining to the estate. The British High Commission cannot become involved in such matters. Please see our list of local lawyers.

Legal Aid / Court proceedings

Under certain circumstances, such as a suspicious death, you may wish to engage the services of a local lawyer to represent your interests should a trial or inquest be necessary. Should you wish to have detailed feedback from court proceedings, you may wish to engage a lawyer before the case is passed to the public prosecutor. At a cost court transcripts can be made available once proceedings are complete through a private transcript company. Please see our lists of local lawyers.

Consular Death Registration

As South Africa is a member of the Commonwealth only a local South African death certificate will be issued. The British High Commission does not undertake to register the death of a British national in South Africa.

FUNERAL DIRECTORS

Thom & Kight Company

(International Funeral Directors)

Cnr Hull & 16TH Streets

VREDEDORP

Tel: +2711 837 5531/2/3/4/5

AVBOB Funeral Director

(International arrangements)

Cnr Owl and Frost Avenue

JOHANNESBURG

Tel: +2711 482 1027

www.avbob.co.za

DOVES Funerals

(International arrangements)

No. 10 Jorissent Street

BRAAMFONTEIN

Tel: +2711 339 5967

[Braamfontein@doves.co.za](mailto:braamfontein@doves.co.za)

Neither the Government nor the relevant British Embassy, High Commission or Consulate can make any guarantee in relation to the professional ability or character of any person or company on the list, nor can they be held responsible in any way for you relying on any advice you are given.