



Diocese of Middlesbrough Lourdes Pilgrimage

Deceased Pilgrim Policy

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Date issued:	November 2018
Date Reviewed:	May 2026
Date next review due:	May 2028

Introduction

Whilst a death in Lourdes is not a frequent event, it is a possibility that we need to plan for before we travel to Lourdes with the pilgrimage, so that we can assist the next of kin and other loved ones with carrying out the wishes of the deceased and their family.

When a death occurs whilst on pilgrimage, family and friends in the UK can feel additional distress as they are unfamiliar with foreign procedures and may be unable to communicate with the authorities in French. The Consular Directorate at the Foreign and Commonwealth Office and the British consulates in France are ready to assist and provide advice if required, as is the Pilgrimage Core Team and the Tour Operator.

These notes are designed to help all parties through the practical arrangements that are needed. French procedures differ significantly to those in the United Kingdom and whilst it may suit all parties to make arrangements quickly, this may not always be possible.

Please note that whilst care has been taken in compiling these notes, no legal liability for their contents is accepted by the Middlesbrough Lourdes Pilgrimage Trust.

Repatriation and Burial

A relative or a formally appointed representative must instruct a funeral director in France or the UK for a body to be repatriated to the UK or buried/cremated in France. The Pilgrimage Director will inform the travel insurance company who will make the necessary arrangements. If there is no insurance cover for whatever reason, funds for repatriation, cremation or burial will need to be met by the deceased pilgrim's family or the executors of their estate.

A medical certificate certifying the death is issued by a local doctor in Lourdes and serves as a burial permit. A death is registered at the 'Mairie' (town hall) in Lourdes. A relative or their formally appointed representative usually registers the death. This, however, can also be carried out by a local firm of undertakers. A certified copy of the entry is usually issued immediately if all necessary details are available. These certificates will normally be in French but it is possible to ask for a certificate in English. No fee is charged for the medical certificate or for the registration. French death certificates, however, do not show the cause of death. In France there is no central registry corresponding to the General Registry Offices in the UK.

Although not obligatory, it is possible to register the death of a UK national who has died in France with UK authorities¹. This service carries a statutory consular fee².

Repatriation of ashes to UK

In order to repatriate ashes, the next of kin or their appointed representative, should travel with the cremation certificate and the death certificate in order to present these to the airline and/or HMRC (Her Majesty's Revenue and Customs). The urn must have been sealed by the French Police/Gendarmerie.

¹ <https://www.gov.uk/register-a-death>

² <https://www.gov.uk/government/publications/france-consular-fees>

Coroners

When a body is repatriated to England or Wales from France, a coroner will only hold an inquest if the death was violent or unnatural or if the death was sudden and the cause unknown. As the cause of death is not given on the French registration certificate, the coroner may order a post mortem as part of the inquest (even if a post mortem has already been carried out in France). The coroner does not have access to the French judicial file. He/she may however request a copy of the French police and post mortem reports through the Consular Directorate. However, these reports will only be provided once the judicial process (if any) has been completed and the death is no longer 'sub judice'. In some cases, this can take several months.

If there is no requirement for a coroner to become involved and a cremation is to be carried out, a cremation order will need to be obtained from the Home Office. An application for the order is usually made by the local undertaker. There is no equivalent order required for burials.

Coroners in Northern Ireland are not obliged to hold an inquest into the cause of death, but next of kin can apply for a judicial review if an inquest has been decided against.

Under the CREMATION (SCOTLAND) REGULATIONS 1935 AND 1952, a permit for cremation must be obtained from the Scottish Executive in Edinburgh. Coroners do not exist in Scotland and there are no special formalities for a burial there.

Police and judicial Enquiries

Enquiries are not held when the doctor who certifies a death is satisfied that no suspicious circumstances exist and the death was due to natural causes. However, an enquiry is held when the death occurs in a public place, e.g. in the street or at a hotel, or when foul play is suspected. In such cases the responsibility for issuing the burial permit lies with the Public Prosecutor (Procureur de la Republique) at the local High Court (Tribunal de Grande Instance).

The police or gendarmerie are involved at this stage and hold an initial enquiry. A medical expert commissioned by the court (Medecin Legiste) must inspect the body and decide whether or not to issue the medical certificate. If in doubt, they will not issue the certificate and will report the case to the Procureur. In either case, the Procureur can order a post mortem and further police enquiries. If a post mortem or further forensic tests are ordered by the Procureur, this may delay the issue of the burial permit. If they suspect, or the post mortem indicates, foul play, i.e. murder, they will refer the case to an examining magistrate (Juge d'Instruction). The latter will conduct a full investigation and can summon witnesses, commission further investigations by the police (either judicial or criminal) / gendarmerie or forensic examinations, and send enquiries (by way of a Commission Rogatoire) to other, including foreign, authorities. They aim to reach conclusions about the cause and circumstances of the death, and if they conclude that there has been foul play they may charge one or more persons with criminal offences. This enquiry can take many months to complete.

Legal advice and release of information

Enquiries into deaths in France are not public. In order to have access to the investigation and obtain information from the magistrate's file, interested parties must apply through a lawyer to the court to be made civil parties (Partie Civile) to the proceedings. The court will decide which applications for 'Partie Civile' are valid. Consular staff do not have access to a judicial enquiry and cannot give legal advice.

Even in the most routine cases, such as death from natural causes in ordinary circumstances, there is no routine way of obtaining official confirmation of the medical cause of death. The doctor who certifies the death will not usually provide a medical certificate which states anything other than that he has medically certified the death.

Post Mortems

A post mortem is usually carried out at the Legal Medical Institute (Institut Medico Legal (IML)). A guide in English has been produced by the IML in Paris and can be found on their website. Only medical staff and the police and/or magistrate in charge of the investigation can attend. It is often the case that the Institute will hold certain organs and samples in the event that further tests might be required at a future stage of the investigation. French judicial authorities do not require the authority of the family to retain body parts if they are deemed necessary for the investigation. However, should the magistrate in charge of the case decide that they are no longer required, it is possible for the family to make a request in writing for their release.

Useful addresses

Organisation	Address	Telephone	Website
Foreign & Commonwealth Office, Consular Directorate	King Charles St, City of Westminster London SW1A 2AH	+44(0)2070081500	www.gov.uk
British Embassy, Paris	Consular Section, 16 Rue d'Anjou, 75008, Paris	+33(0)144513100 FREE	www.gov.uk/government/world/france
British Consulate, Bordeaux	353 Boulevard du Président Wilson, 33073 Bordeaux Cedex	+33(0)557222110 FREE	www.gov.uk/government/world/france
British Consulate – General, Marseilles	24 Avenue du Prado, 13006 Marseilles	+33(0)491157210 FREE	www.gov.uk/government/world/france

Incorporated Law Society of Northern Ireland	Bedford House, 16-22 Bedford Street, Belfast BT2 7FL	+44(0)1232246441	www.lawsoc-ni.org
Scottish Executive, Public Health Policy	St Andrew's House, Regent Road, Edinburgh EH11 3XD	+44(0)1312442501	www.sehd.scot.nhs.uk
Legal Services Commission	85 Gray's Inn Road, London WC1X 8TX	+44(0)2077590000131	www.justice.gov.uk/legal-aid
Scottish Legal Aid Central Committee	44 Drumsheigh Gardens, Edinburgh EH3 7SW	+44(0)1312267061	www.slab.org.uk
Victim Support	Cranmer House, 39 Brixton Road, London SW9 6DZ	+44(0)8453030900	www.victimsupport.org
Institut National d'Aide aux Victimes et de Médiation	14 rue Ferrus, 75104 Paris	+33(0)145881900 FREE	www.inavem.org
Bereavement Support Network of the Var		+33(0)94846489	www.bsnvar.org

International Funeral Directors

Every care has been taken compiling this list by the UK authorities. However, neither Her Majesty's Government nor the British Embassy in Paris can act as guarantor of the competence or probity of any particular company, nor can they be held responsible in any way for consequences arising from advice accepted or action initiated.

All the companies listed below can take calls in English.

Companies based in the United Kingdom

Funeral Director	Address	Telephone	Email/Website
Co-operative Funeral Care International	50 Whitta Road, Manor Park, London E12 5DA	+44(0)2087885303	www.co-operative.coop/funeralcare
Albin International Repatriation	83 Westbourne Grove, London W2 4UL	+44(0)2073136920	info@albininternational.com www.albininternational.com
Haven Repatriation Services	13 The Broadway, Gunnersbury Lane, London W3 8HR	+44(0)2089938767	info@havenfunerals.com www.havenfunerals.com
Rowland Brothers International	299-305 Whitehorse Road, Croydon, CR0 2HR	+44(0)2086842324 +44(0)2086841667	info@rowlandbrothersinternational.co.uk www.rowlandbrothersinternational.co.uk
National Association of Funeral Directors	618 Warwick Road, Solihull B91 1AA	+44(0)1217111343 +44(0)1217111351	info@nafd.org.uk www.nafd.org.uk

Companies based in France:

Funeral Director	Address	Telephone	Email/Website
PFG Rapatriement	OGF, PFG Repatriement, 31 rue de Cambrai, 75109 Paris	+33153265450 FREE	pfgrapatriement@ogf.fr www.pfg.fr
Anubis International Assistance	2 rue du Té, Zone de Fret 4 95705 Roissy CDG Cedex	+33149195960 Free	www.anubis.fr

Much of the information contained in this policy was obtained from the UK government website highlighted below:

<https://www.gov.uk/guidance/death-of-a-british-national-in-france#legal-advice-and-release-of-information>

The website states that whilst care has been taken in compiling these notes, no legal liability for their contents is accepted by the British government or their embassy.