



Guidance for Responders

Disaster Victim Identification: Issues for Families and Implications for Police Family Liaison Officers and Coroner's Officers

This guide has been written by members of Disaster Action, all of whom are survivors and bereaved people from disasters. Some of the disasters we have been affected by include the Zeebrugge ferry sinking, King's Cross fire, Lockerbie air crash, Hillsborough football stadium crush, Marchioness riverboat sinking, Dunblane shootings, Southall and Ladbroke Grove train crashes, the 11th September attacks, the Bali bombing, the 2004 Asian Tsunami, and the London 7 July and Sharm El Sheikh bombings of 2005.

The aim of this leaflet is not to describe the methods of identification that may be used following a disaster. The purpose is instead to highlight the issues around identification that - based on our common experience - are important to families, whatever the origin of the disaster, and the implications of these issues for police family liaison officers (FLOs) and coroner's officers (COs).

Differences within the family

Although our definition of 'family' has become much broader than it used to be, in Disaster Action's experience differences between family members such as parents, partners and siblings of those who have died in a disaster are, unfortunately, not uncommon. It may be that one person feels entitled (perhaps as the next of kin) to have information about the manner of death or the progress of any criminal investigation, without sharing this information with others. In some past disasters, the next of kin was permitted to decide upon a number of key matters concerning the dead, including whether other family members should be 'allowed' to see photographs of the dead person. Extending such powers - which have no basis in law - to next of kin, can create great additional distress amongst some wider families.

Implications for FLOs and COs

FLOs and COs should be aware of the possibility of differences of opinion and potential conflict within families. Such cases may require careful discussion with the family by FLOs/COs, who should seek advice from line management to ensure that the most appropriate and effective response is provided.

Knowing the Cause of Death

Many relatives and friends of those killed in a disaster ask searching and detailed questions about exactly how the person died. If a decision is taken not to hold a post mortem, this may leave more open the question of establishing the exact cause of death. While families may appreciate the least amount of disruption to the body, many of them may ask questions that perhaps can only be answered by post mortem.

If a single cause of death is given for all those killed in a disaster, this is unlikely to satisfy the need to know how an individual met their death. People may feel that all was not done that should have been in order to satisfy their need for information, or that they were being denied information that was available. (At the Fatal Accident Inquiry two years after Lockerbie, for

example, the cause of death was given in the public forum as 'multiple injuries resulting from a fatal air crash'. This level of information merely fuelled many families' desire to know more. In that instance, it was possible to learn more, given that post mortems were required for evidence purposes.)

Implications for FLOs and COs

FLOs and other responders may be asked questions about the cause of death, such as why there is/isn't a post mortem, what (more) information is/may be available once a victim has been identified, or after an inquest. FLOs should have a basic understanding of the general processes and the specific procedures in place for the event they are dealing with. They should also make sure they are aware of who they and/or the family members can liaise with for further information/explanation. Regular updates should be given to families about post-mortem and inquest arrangements.

Viewing of Bodies/Remains

Disaster Action stresses the importance of creating a facility whereby family members can see and be with the person/people after death. After a disaster, regardless of the state of the body, family members may wish to have the opportunity to see that person before the remains are returned home or to the place of burial or cremation. Others may not wish to do this, but we believe it is vital that facilities are created to make this possible and that all effort is made to facilitate opportunities to view.

Lord Justice Clarke's Inquiry Report into the Identification of Victims following Major Transport Accidents spelt out that families should have a right to view bodies if they wish to do so. Sometimes, with the best of intentions, it might be felt that viewing bodies should be denied for the sake of protecting people. However, it is now understood that exercising the right to view is important for the future psychological wellbeing of families, as well as in some instances for identification purposes. Being prevented from exercising this choice can have a long-term detrimental effect.

The following research may also be of assistance. "**Viewing the body after bereavement due to a traumatic death: qualitative study in the UK**" by A Chapple and S Ziebland was published in British Medical Journal on 30 April and is available from the BMJ's Website (http://www.bmj.com/cgi/content/full/340/apr30_2/c2032).

Implications for FLOs and COs

Those liaising with families should never advise whether or not to view; rather they should enable *informed choice* by family members. FLOs should be prepared to answer questions and give information about what to expect in terms of the state of the body, which may require them to view the body or photographs of the deceased in advance in order to inform families. They should also explain how the process of viewing would work for families (how long they can be with the body, whether or not they wish to be accompanied/left alone, whether they can touch the body, etc.).

While the natural instinct of FLOs may be to protect families, in the experience of Disaster Action members it can be counterproductive to over-protect. Equally, FLOs should understand that different members of the same family might make different choices as to whether to see the body or not. It is important to facilitate these choices as far as possible, while not making any judgement about the decisions taken.

Return of Remains after Disaster

Issues may arise over who has the right to have the remains returned to them. There may be conflict within families as to who has this right, and disagreement as to what should be done with the remains.

In the best of all possible worlds, this will not happen, but given that it has done in the past, it should be anticipated as a possibility. (After the 11th September attacks in the United States, the medical examiner in New York decided to allow a court to make a decision in the event of such unresolved conflict.)

Implications for FLOs and COs

FLOs should be clear that it is not their role to make such decisions for families. Where possible, a solution should not be imposed upon families, but they should be facilitated in their need to resolve such conflict themselves, with outside help if necessary.

Partial Recovery of Remains/Recovery over a Long Period

There may be circumstances where only partial remains of those killed in a disaster are recovered, and/or where remains may be found over a long period. Depending on where and how the disaster occurs, social, political and cultural approaches to dealing with death and the treatment of bodies may impact on the ways in which recovery, identification and repatriation are dealt with. Dealing with these issues may be highly sensitive and may also give rise to differences of opinion within families as to how to make the choices they may face, or be denied.

Implications for FLOs and COs

Wherever possible, at an appropriate stage in the process, families should be offered the choice as to whether or not they wish to be kept informed of the recovery of any further remains, however long the process. Some will wish to bury or cremate further remains recovered over time and others will choose not to be kept informed after an initial identification has been made.

The Home Office is working closely with stakeholders in the emergency planning and response community to develop a 2nd Edition of *Guidance on Dealing with Fatalities in Emergencies*. This will provide updated advice on many of the key areas of managing deaths in an emergency and incorporate lessons learned from the London bombings on 7th July 2005 and other emergencies.

If there are constraints that prevent the identification and return of further remains, then the reasons should be explained to families in a sensitive manner, at an appropriate time and place and always on a face-to-face basis.

Missing People

When people remain missing and are unaccounted for, friends and family members may go to great lengths to find them themselves, regardless of other efforts or advice by the authorities. This may include travelling to disaster sites/zones, temporary mortuaries, hospitals, etc.

It is important that their families feel reassured that all that could be done is being or has been done to find, recover and establish the identity of all the victims.

Even if a body is not found, if documents/personal effects, etc. can be recovered, this will be of enormous value to families (see **When Disaster Strikes** *The Return of Personal Property*, for more on this issue).

There are important legal and social implications of having a loved one still missing. Under usual circumstances without identification, a death certificate is not issued for seven years, thus meaning financial affairs such as mortgages, selling property or inheriting assets cannot be settled. Following disasters where people remain unaccounted for but are considered highly likely to have been killed, measures may be introduced to speed up this process.

Implications for FLOs and COs

FLOs and COs should be mindful of the need for great sensitivity around when people are thought of as likely to be dead. Families will differ in the way they deal with this. However, it is probable that people will want as much information as possible, on an ongoing basis (even if there is no news as such), in order to reach a stage when this is accepted as the most likely outcome. After all, there will be those who will emerge and be found as live and well, so it is important not to make judgements too soon.

In overseas disasters, where protocols for recovery and identification might be complex and change over the duration of the disaster response, updates to waiting families may need to occur over a protracted period of time. Many families will wish to be kept updated about how the general identification process is going, even if there is no specific progress on the identification of their loved one(s) as yet.

Information and updates on procedures may need to be given many times and over subsequent visits in order to be fully understood and taken in. This is partly because when people are grieving such complicated deaths it can be difficult to absorb information. Families are also unlikely to be unfamiliar with the complex procedures and processes involved.

With regard to the legal status of missing persons and the practical implications for families, FLOs should source and pass on details of support organisations, which may be able to assist with financial and legal advice. These include organisations listed below.

Trust and Confidentiality

Losing a loved one in a disaster can mean private grief and decision-making around sensitive personal matters needs to be discussed and shared with outsiders. For families this can reinforce a sense of vulnerability and intrusiveness, especially when others regard this as being in the public interest and worthy of media and other exposure.

Implications for FLOs and COs

While it may be necessary to share some aspects of a family's private affairs with individuals and other organisations outside the family, it is important always to be aware of the importance of trust and confidentiality. Information should be shared with fellow professionals strictly on a need-to-know basis.

Even where the family has given sensitive personal information to an individual FLO or CO, where possible and appropriate permission should be sought from family members for disclosure of such information to others. (See Disaster Action **Guidance for Responders** document *Working with Disaster Survivors and the Bereaved: Code of Practice on Privacy, Anonymity & Confidentiality* on the website for further guidance on this issue.)

Useful Contacts

Some or all of the organisations listed below may be helpful in the aftermath, depending on the circumstances of the disaster:

Disaster Action

Telephone: 01483 799 066
www.disasteraction.org.uk

Coroner's Officers Association

Telephone: 01323 414 067
www.coronersofficer.org.uk
'Advocates for the dead to safeguard the living' (Association motto)

Foreign & Commonwealth Office

Telephone: 0207 270 1500
www.fco.gov.uk
The Consular Directorate of the FCO will be involved in the aftermath of any overseas disaster affecting British nationals.

Missing Persons Helpline

Freephone Helpline (0500 700 700)
www.missingpersons.org

A UK charity dedicated to helping missing people and supporting their families while they wait for news.

National Bereavement Partnership

Help-line for the bereaved: 0845 226 7227
www.natbp.org.uk

A bereavement charity offering help to families after both traumatic and other deaths. The charity specialises in issues surrounding post mortems, repatriation processes and related issues. The organisation can also signpost callers to other services that may be of benefit to them.

Disaster Action Leaflets

Disaster Action has produced a series of leaflets for survivors and the bereaved, **When Disaster Strikes**, which can be found on the Disaster Action website.

Disaster Action would like to thank all those who contributed to the writing of this leaflet.