

## Advice in the event of a Death/Bereavement in Crete/Greece

Where the law stands involving British nationals in Greece upon a Death

The death of a relative or friend is always distressing no matter when, where and how it takes place. When it happens abroad there is the added concern caused by the practical issues immediately at hand.

The chances are if you are caught up in a sudden death, you may well be at a loss as to what to do, how and where to obtain the correct advice. You may be uncertain what to do next or who to contact. These notes drawn up by the staff at the Athens Embassy are designed to help you through the practical arrangements you will need to make.

The British Embassy in Athens says that the Consular Directorate in the Foreign and Commonwealth Office in London and Consulates in Greece are ready to help in any way that they can.

Importantly, you should be aware that Greek procedures differ significantly to those in the United Kingdom.

While the British diplomatic staff understand your need to make arrangements as quickly as possible, this may not always be possible.

### Standard Procedures in Greece

Following the death of a British national in Greece, next of kin, or a formally appointed representative, must decide whether to repatriate the deceased to the UK, or carry out a local burial.

This is important too. CREMATION is not available in Greece. This is primarily due to the Greek Orthodox religious beliefs. The Greek Government is however under pressure to meet EU requirements and this matter is being addressed. A "ban" on cremation was lifted by parliament in March 2006. Cremation facilities are awaited. The law specifically states that the deceased must have stated they wish to be cremated.

Consular staff in London will pass on to the Consulate in Crete the wishes of the next of kin about disposal of the body. The British diplomats will do their best to ensure these are carried out.

### Greek Law

Under Greek law, a deceased person must be buried within one month of death. However, in the case of foreign nationals the authorities will normally allow as much time as necessary. Registration of death must be within three days.

### Travel Insurance

If travel insurance was held by the deceased person, that company must be contacted by the next-of-kin urgently. In the event of no insurance cover, repatriation or burial will be paid for by the family of the deceased.

#### Tour Group Operators

Often the most experienced of connections can be the tour operators. If the deceased was on a Group Package or ticket, representatives of the tour company can be a valuable source of assistance and advice.

#### No State Funds for Repatriation

State funds from UK are simply not available. Neither the British Foreign and Commonwealth Office nor the British Consulates in Greece have budgets to meet these costs.

If the deceased was covered by travel insurance, the insurance company will normally appoint an International funeral director to arrange repatriation. If the deceased is not covered by insurance, next of kin will need to appoint an International funeral director themselves. A list of companies is attached to the back of this document. The International funeral director will liaise with local undertakers to ensure that all necessary requirements are met in Greece.

When the deceased is to be repatriated, the remains must be embalmed and placed in a zinc-lined coffin. Local undertakers in Greece are equipped to carry out these procedures. A local civil registry death certificate, plus the doctor's death certificate (indicating cause of death), a certificate of embalming, and a certificate giving permission to transfer the remains to the UK is required to ship the body. This will be arranged by the international funeral director.

In certain circumstances repatriation may not always be possible. British consular staff will try and inform next of kin as soon as possible if this is the case.

Costs? Be aware that it could be anywhere between 2,000-5,000 pounds sterling to bring a corpse back to UK/Eire.

#### Local Burial in Greece

If next of kin choose to proceed with a local burial, they will need to instruct a local funeral director. British Consulates in Greece can provide a list of funeral directors on request, including indications of costs, and can help with practical arrangements.

#### Inquests in Greece

In the event of a death in Greece, the Examining Magistrate will consider the evidence. If the circumstances of the death were not unusual,

registration of the death is permitted and the body will be released for repatriation or burial. However, if the Examining Magistrate is not satisfied after the preliminary examination, an autopsy may be required. Further investigations and interviews with witnesses may also be called for before a decision is made as to cause of death.

In cases of accident or misadventure, a report of the Examining Magistrate's findings will be issued and experience has shown that this can take several months. However, if death was caused by a criminal act, the police will be ordered to conduct a full investigation. The State Prosecutor will then decide whether to prosecute.

### Autopsies in Greece

Autopsies are carried out by court appointed doctors with forensic qualifications. During an autopsy, organs can be removed for testing at the discretion of the doctor, without consent of next of kin. Next of kin are not informed about the removal of any organs. The deceased's body can be buried or returned to the UK before tests on removed organs are completed. Any organs removed are retained for the duration of the tests, after which they are destroyed.

Should the next of kin have a request that any organs removed are returned they must apply for a court order. The British Embassy Athens can advise on the procedures to be followed. If the deceased's body has been repatriated, next of kin should contact their undertaker in the UK to proceed with the request for the return of any organs removed.

Organs cannot be removed for any purpose other than testing without prior consent of the deceased (for research) or next of kin (transplants). This will be easier if the deceased was on the NHS Organ Donor Register, carried a donor card and had discussed the donation plans with their family.

Relatives will still be asked to give their consent before donation. Most organ donations come from people who have died while on a ventilator in a hospital intensive care unit. The NHS Organ Donor register is located in Bristol.

### Coroners and Inquests in England and Wales

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. If a post-mortem is also performed in the UK, the coroner might be able to advise you if any organs have been removed.

Coroners can request copies of post-mortem and police reports from the

Greek authorities. The British Embassy in Athens is able to channel coroners' requests through to the Greek Ministry of Foreign Affairs. However, the reports will only be provided once any judicial proceedings are completed. In some instances this can take many months. In Scotland, the Scottish Executive is the responsible authority. However, they are not obliged to hold an inquest into cause of death.

#### Coroners in Ulster - Northern Ireland

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.

Note: More information from the Citizens Advice Bureaus. This applies to England, Wales and Northern Ireland.

#### Rules for Scotland

There is no office of coroner in Scotland. Instead, the local procurator fiscal inquires into sudden or suspicious deaths. If someone dies abroad and you want to arrange a cremation in Scotland, you will need to get an order from the Scottish Executive Health Department in Edinburgh. To apply for this, take or send the documents which accompany the body - amongst which must be a death certificate or equivalent, in English, showing clearly the cause of death - together with the application form for cremation.

#### Release of Information in Greece

Access to information concerning a death, post-mortem and police reports within Greece, is restricted.

The Greek authorities will not normally provide this information directly to next of kin, or to third parties including our Consulates.

Requests for this information should be made through a local Crete lawyer, AND one from the Prefecture (Xania (Chania), Rethymnon, Heraklion or Lasithi) in which your home, the deceased's home or accommodation or where you are staying, is located.

The British Consulate in Heraklion maintains an up-to-date list of English speaking lawyers in each of the four local Prefectures on Crete.

Brits in Crete advice is to ask local friends and acquaintances if they can recommend a good local lawyer they have used to their satisfaction, as well as asking the Consulate.

Please note: the release of any information can take many months, and the documents will be all be in Greek.

## Legal Aid in Greece

British nationals without the available means to appoint legal representation can apply for legal aid in most European countries. The Legal Services Commission in London (tel: 44 207 759 0000) or known as CLS Direct is responsible for legal aid applications overseas. The Legal Services Commission currently forwards applications for legal aid to their counterparts in Greece, where cases will be considered for their eligibility (based on Greece's criteria).

### Death Registration at a British Consulate (for Crete - Heraklion)

There is no obligation for the death overseas of a British national to be registered with the British Embassy. However, there are the advantages that a British form of death certificate is then available, and that a record of the death is afterwards held at the General Register Office in the UK.

To apply from within the UK, you should contact Nationality and Passports Section of Consular Directorate, Old Admiralty Building, London SW1A 2AF Tel: 020 7008 0186. If you are applying from Greece, you should contact the nearest Consulate.

In the case of Crete, the Consul is in Heraklion:

British Vice Consulate

16 Papa-Alexandrou Street

712 02 Heraklion

Open to the public: Monday – Friday 08.00 – 13.00

(the location is in the centre of the city. From the Astoria Hotel (in the main square) 30 metres in the direction of the Archaeological Museum. 20 metres further on is what looks like a smaller square, with cars parked and the big, four storey building houses the Consulate offices.

Tel: 2810-224012

Fax: 2810-243935

Email: Vice British Consulate, Heraklion

### Important Contacts in the United Kingdom

Consular Directorate - Foreign and Commonwealth Office

Greece and Greek Islands Desk

Tel: +44 20 7008 0141

(Brits in Crete Advice: Do remember that deaths abroad is an every day occurrence when you contact British government officials. They tend to treat enquiries as routine and part of their work, often without sign of sympathy. If however you find there is an attitude of indifference, then report it to the appropriate authority in UK noting the time, telephone number and the name of the person you contacted. At all times, no matter

how distressed, be polite, patient and, if possible, prepare your main questions ahead of time. Then be brief and to the point. It is a good idea to prepare what you wish to say on the telephone before hand.)

International Funeral Directors in the UK

Funeral Directors/Undertakers/Transportation specialists

Co-Operative Funeral Services

119 Paisley Road

Glasgow G5 8RL

Tel: +44 141 3086217

Fax: +44 141 4294169

E-mail: Co-Operative Funeral Services

Kenyon Air Transportation

81 Westbourne Grove

London W2 4UL

Tel: +44 20 7258 1130

Fax: +44 20 7243 3125

E-mail: Kenyon Air Transportation

Website: <http://www.gnf24.dial.pipex.com>

Phoenix International

13 The Broadway

Gunnersbury Lane

London W3 8HR

Tel: +44 20 8993 8767

Website: [http://www.192.com/directory.cfm/CHISWICK,\\_LONDON/FUNERAL\\_DIRECTOR/XBF2C541CC87D4094AFF62901C4B4BE1A](http://www.192.com/directory.cfm/CHISWICK,_LONDON/FUNERAL_DIRECTOR/XBF2C541CC87D4094AFF62901C4B4BE1A)

Rowland Brothers International

299-305 Whitehorse Rd

Croydon CR0 2HR

Tel: +44 20 8684 2324

Fax: +44 20 8684 8000

E-mail: <mailto:info@rowlandbrothersinternational.co.uk>

Website: <http://www.rowlandbrothersinternational.co.uk>

National Association of Funeral Directors

618 Warwick Road

Solihull B91 1AA

Tel: +44 121 711 1343

Fax: +44 121 711 1351

E-mail: <mailto:info@nafd.org.uk>

Website: <http://www.nafd.org.uk>

Please note that the listing of the companies above does not represent FC0 endorsement of their services.

#### How to register a Death

Death registration is optional, however, if it is required, the following original documents should be produced:

- Greek death certificate
- Passport

There is no time limit before which the registration must be effected. Copies are sent to the General Register Office at Southport and a copy is kept at the Consulate for reference.

The cost of registration plus one certified copy of the death certificate is 164.00 Euros. (as of January 2007)

Approximate waiting period for processing application and issue of certificate(s) is 3 working days.

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