

Our Ref: IM-FOI-2022-2499  
Date: 01 December 2022



## **FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

**I am looking for a copy of police procedure for notifying next of kin after a death. And how this is established.**

I can advise you of the following:

### **Investigation of Death National Guidance**

#### Next of Kin

- Take all possible measures to identify NOK.
- Only one member of the family is required to be NOK. If the family refuse to have only one point of contact, there can be a maximum of two NOK. The term NOK is not legally binding but identifies the person / people who are the main point of contact for PF and Police. Other individuals can be included in the Remarks section of the Police Report if necessary:
- Identify the NOK's preferred first language. · State if the NOK are vulnerable and whether they have the capacity to make appropriate decisions, specify if the NOK require(s) an adult / another family member or friend etc. to be present if / when they are spoken to?
- Specify the NOK's relationship to the deceased. Family Situation
- Are there any family issues such as the deceased being estranged from their family?
- Are these likely to affect the investigation into the deceased's death?
- Are there going to be feuding family members contacting the PF / Police rather than just the NOK?
- If yes to any of these questions, the PF must be advised in the report.
- The family must also be told that if possible, only the NOK contacts the PF and Police to prevent repetition.

Each death investigation is unique and presents different challenges and circumstances when identifying and notifying the next of kin following a death. Officers routinely carry out various forms of research following a death in order to identify a suitable next of kin. The circumstances of the death (i.e. murder, suicide, drug related death, road accident etc.) also determines the contact and notification process involving the next of kin and whether Specialist Trained Officers such as a Family Liaison Officer would be deployed to carry out this role.

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**i would also like a copy of the report for the incident number [ ]-14th September.**

In Scotland, the Crown Office and Procurator Fiscal Service (COPFS) have procedures in place to provide bereaved families with information about the death of their loved one.

Further details can be found in their [Family Liaison Charter](#) and [Guide for Bereaved Family Members](#) and you can contact them as follows:

[enquirypoint@copfs.gov.uk](mailto:enquirypoint@copfs.gov.uk)

COPFS, 25 Chambers Street, Edinburgh, EH1 1LA

There are no equivalent Police Scotland procedures and therefore whether you specifically requested it or not, your enquiry is being progressed as an FOI request.

Any FOI response is a *public disclosure* and so it is not usually possible to disclose information about particular individuals or related investigations. Your identity, and any relationship you may have had to the deceased cannot be taken into account.

I appreciate that this response will be disappointing but in terms of section 18 of the Act, I am refusing to confirm or deny whether the information sought is held by Police Scotland. The public interest overwhelmingly lies in protecting individuals' right to privacy and honouring their expectation of confidentiality. Furthermore, any information held for the purpose of an investigation, carried out with the aim of making a report to COPFS as respects the cause of death of a person, is exempt from disclosure in terms of section 34(2)(b) of the Act.

Should you require any further assistance please contact Information Management - Dundee at [foidundee@scotland.police.uk](mailto:foidundee@scotland.police.uk) quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to [foi@scotland.police.uk](mailto:foi@scotland.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.

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