



Minister for Public Health and Women's Health
Jenni Minto MSP

T: 0300 244 4000
E: scottish.ministers@gov.scot

Clare Haughey, Convenor
Health, Social Care and Sport Committee

Health@parliament.scot

25 August 2023

Dear Convener,

I am writing to inform you that the Scottish Government has today published a collection of four consultations on various regulations to be made under the Burial and Cremation (Scotland) Act 2016 ('the 2016 Act'). The four consultations are:

- Inspection regulations for burial authorities, cremation authorities and funeral directors
- Regulations for licensing of funeral directors
- Burial regulations
- Alkaline hydrolysis (also known as 'water cremation,' an alternative process for the disposal of human remains in Scotland).

The 2016 Act modernised the legislative framework for burial, cremation and funeral arrangements in Scotland. The regulatory proposals set out in the above mentioned consultations are key to realising the further necessary detail, protection and processes envisaged by the 2016 Act.

The 2016 Act also fulfils our commitment to implement recommendations made by the [Burial and Cremation Review Group](#) (2007), Lord Bonomy's [Infant Cremation Commission](#) (2014) and Dame Elish Angiolini's [National Cremation Investigation](#) (2016). In line with those recommendations, Scotland will be the first nation in the UK to pursue a statutory regulatory regime for the funeral sector and I am proud of Scotland's leadership in this space.

Therefore, making funeral arrangements can be extremely difficult and emotionally overwhelming. It is something everyone is likely to experience at some stage in their life, whether it is the death of a family member, a loved one, or a friend. In the proposals contained in the

Tha Ministearan na h-Alba, an luchd-comhairleachaidh sònraichte agus an Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh www.lobbying.scot

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

Taigh Naomh Anndrais, Rathad Regent, Dùn Èideann EH1 3DG
St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot



INVESTORS
IN PEOPLE

Accredited
Until 2020



consultations, we are taking ambitious and bold steps to ensure necessary safeguards are in place and the public can have high levels of confidence in Scotland's funeral sector. We will do this through the introduction of statutory inspection of burial authorities, cremation authorities and funeral directors and establishing a licensing system for funeral directors. We aim to ensure high quality care is always given to our loved ones and that bereaved people and the wider public are consistently treated compassionately and professionally.

In addition, we are seeking to improve and streamline existing burial practices in Scotland such as management of burial grounds and exhumation. We also intend to regulate some areas of burial for the very first time, including private (home) burial and restoration of lairs.

Alongside this, we propose to regulate alkaline hydrolysis (also known as 'water cremation' or by alternative trade names) as a new, alternative method of disposal of human remains in Scotland. It is already available as an option in other countries including Australia, Ireland, The Netherlands and the United States.

Responses to the consultation on the Burial and Cremation (Scotland) Bill in 2015 were in favour of introducing additional, new, more environmentally friendly procedures and this option is now provided for in the 2016 Act. It is proposed that alkaline hydrolysis would be available to bereaved families purely as a possible alternative to burial and cremation, in line with their own attitudes, beliefs and values. It is our view that all types of body disposal must be equally safe and dignified and we must move forward in a way that protects the public and maintains their confidence. Our proposals therefore aim to ensure the high standards that the public can expect with burial and cremation will apply to alkaline hydrolysis.

The consultations are available on the Scottish Government's consultation hub, Citizen Space [here](#) and will run from 25 August 2023 to 17 November 2023.

We ask for the Committee's support in publicising these consultations. We are seeking a wide variety of views from the funeral sector and the public; responses will be fundamental in shaping next steps for the regulations.

A second focussed consultation on the draft regulations for funeral director licensing will be undertaken in future, giving further opportunity to help shape and refine the drafting of those regulations.

If you have any questions about this consultation exercise, please contact us at burialandcremation@gov.scot.

Yours sincerely,



Jenni Minto MSP

Tha Ministearan na h-Alba, an luchd-comhairleachaidh sònraichte agus an Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh www.lobbying.scot

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

Taigh Naomh Anndrais, Rathad Regent, Dùn Èideann EH1 3DG
St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot



INVESTORS
IN PEOPLE

Accredited
Until 2020

