

Appointment: Health Inspector under the Loi (1934) Sur La Sante Publique

Background

Under the terms of Article 10 of the Loi 1934 sur la Santé Publique, the Minister for Health and Social Services can appoint several health inspectors and determine the duties of these inspectors.

Issue

Under the terms of Regulation 9 of the [Cremation \(Jersey\) Regulations 1961](#), where a person has died outside of Jersey and it is desired that their remains be cremated in Jersey, a medical referee may, subject to the relevant approval of the Viscount, accept the relevant cremation forms as defined in the Regulations and allow a cremation to take place.

In other instances where the body of a deceased person is to be repatriated into the Island for burial or to be repatriated out of the Island for burial or cremation purposes, it is customary for the repatriation to be approved by the Medical Officer of Health.

Declaration that the body of a deceased person to be repatriated off Island is infection free

The Medical Officer of Health is currently responsible for declaring that any body of a deceased person which is repatriated off Island is infection free.

Alternate arrangements are required to cover times when the Medical Officer of Health is unavailable to fulfill the responsibilities detailed above to remove the single point of dependency which, in turn, creates the potential for delay.

It is anticipated that these arrangements will remain in place until alternatives are provided or until a new fit for purpose Public Health Law or changes to legislation covering Jersey' death management processes are brought forward.

Recommendation

It is the Medical Officer of Health's view that vesting these responsibilities in Dr Peter Southall to cover periods when he (MOH) is unavailable, creates a more resilient and efficient team approach.

Dr Peter Southall was appointed as a Medical Referee under the Cremation (Jersey) Regulations 1961 in May 2019. This appointment was in line with the UK Ministry of Justice guidance on the appointment of Medical Referees and Dr Southall is a Registered medical practitioner of more than 5 years standing, of good professional standing with the character, experience and qualifications required of a medical referee and a medical professional with no record of any complaints, hearings, or warnings to / by the General Medical Council.

Dr Southall, as a Medical Referee, is already responsible for authorising the cremation of the body of a deceased person whose death occurred outside the Island when he is satisfied that an application for cremation is in order. This is the final check that there is no reason a body may not be disposed of by cremation, after which time no post-mortem examination of the remains would be possible.

The Minister is recommended to appoint Dr. Peter Southall as a Health Inspector under the Loi 1934 sur la Santé Publique and to agree that his existing duties should be extended to include the following duties of the Medical Officer of Health, when the latter is unable to perform them:

- the repatriation into the Island of the body of a deceased person for burial, and
- the repatriation out of the Island of the body of a deceased person for burial or cremation purposes, and
- the certification that the body of a deceased person for repatriation off Island is infection free.

Resource Implications

Dr Southall works on a part-time basis and any additional financial implications to cover his remuneration will be met from within the existing budget of the Medical Officer of Health.