



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Medical Examiners (Wales) Regulations 2024**

DATE **15 April 2024**

BY **Eluned Morgan MS, Cabinet Secretary for Health and Social Care**

Regulations are being laid today in England and Wales, which will establish the legal framework for a statutory, unified system of scrutiny by independent medical examiners for all deaths in England and Wales, which are not investigated by a coroner and will come into force on 9 September 2024.

The new statutory medical examiner (ME) roles – and the new procedures – will have a positive impact for families and for health services in Wales.

The expected benefits include:

- The cause of death recorded on medical certificates of the cause of death (MCCDs) by doctors will be scrutinised by a medical examiner. This will help to identify patterns and trends and, in turn, help to detect any poor practice or even criminal activity.
- MCCDs will provide more accurate information about the causes of death leading to better planning of health services.
- Improved information for clinical governance and health monitoring will support learning and improvement, which will help to make health services safer.
- The death certification process will be easier for bereaved families to understand, open and transparent, and provide opportunities for loved ones to raise concerns with an independent ME about the standard of care leading up to a death. There will also be opportunities for MEs to provide reassurance that the cause of death has been correctly established by the doctor.
- Appropriate referrals to the coroner service.

[The Medical Examiner \(Wales\) Regulations 2024](#) are laid today as part of the wider death certification reforms being introduced in England and Wales through [Regulations](#) being laid by the UK Government's Department of Health and Social Care namely:

- The Medical Certificate of Cause of Death Regulations 2024
- The Medical Examiners (England) Regulations 2024

- The NME (Additional Functions) Regulations 2024

The reforms to the death certification process and the introduction of the statutory role of medical examiners aim to ensure that the system for certifying all non-coronial deaths provides adequate scrutiny to identify and deter criminal activity or poor practice. It rationalises the existing system, ensuring that the level of scrutiny is proportionate and does not impose undue delays for the bereaved family or place undue burdens on medical practitioners and others involved in the process. And it aims to provide a common death certification procedure that ensures the same level of scrutiny and assurance, irrespective of whether a family chooses burial or cremation.

The current ME's non-statutory review of the cause of death provides additional safeguards to representatives of the deceased and provides them with the opportunity to ask questions about the death and to express concerns they may have in relation to the care and treatment of their loved one. MEs, as part of their scrutiny, will also speak to the attending practitioner completing the MCCD and review the patient record.

The medical examiner service in Wales operates independently of the NHS organisation providing care. The three elements of scrutiny allow the ME to understand if there are any factors which can provide valuable independent and early feedback to NHS health boards, trusts and non-acute care providers about issues which may be associated with care before death. In this way they promote learning and improvement in the health system. In Wales, medical examiners provide another means by which the certifying doctor can raise concerns about care, outside their own organisations.

[An Integrated Impact Assessment](#) has been prepared for the Medical Examiner (Wales) Regulations 2024 laid today.