Information Relating to Deaths in Thailand

The death of a relative or a friend can be a traumatic experience. When a death occurs overseas in Thailand, family and friends in the UK, or those who were travelling/living with the deceased in Thailand, can feel additional distress if they are unfamiliar with Thai procedures and perhaps are unable to communicate in Thai.

You may be uncertain about what to do next or who to contact for advice. Staff in the Consular Directorate of the Foreign and Commonwealth Office (FCO) in London and our Embassy in Bangkok stand ready to help you as far as they can.

These notes are designed to help you through the practical arrangements you will need to make. You should be aware that Thai procedures differ from those in the United Kingdom and that while we understand you may want to make arrangements quickly, this is not always possible.

The information contained in this document is not meant to be a definitive statement of the law, nor is it to be taken as a substitute for independent legal advice.

Every effort has been made to ensure that the information contained within these guidance notes is accurate, but no legal responsibility is accepted for any errors or omissions in it (caused by negligence or otherwise) by the British Embassy, the British Consulate in Thailand or HM Government.
Funeral Options

Following the death of a British national in Thailand, the next of kin (NoK), or their formally appointed representative, must decide whether to:

i) repatriate the deceased to the UK
ii) have a local cremation and the ashes repatriated to the UK or
iii) have a local cremation and the ashes scattered locally, or
iv) a burial in Thailand.

Note: If a local burial or cremation takes place, there will not be a Coroner’s inquest carried out in the UK.

Consular staff in London will pass the wishes of the NoK on to Consular staff at our Embassy in Thailand, and details of who will be responsible for the costs involved.

If the deceased had taken out travel insurance, it is important that NoK contact the insurance company without delay. If the insurance company grants cover, you should check with them what funeral arrangements they will cover. If insurance cover is not in place, then the Thai authorities will expect that the cost of repatriation or cremation will be met by the family. The FCO and our Embassy in Thailand do not have budgets to meet the costs of cremation, burial or repatriation.

If the deceased was travelling as part of an organised tour, then the tour operator’s local representative should be a valuable source of assistance and advice.

NoK should be aware that all hospital bills must be paid before the body can be released.

Repatriation

Undertakers in Thailand are equipped to carry out repatriation procedures. They work in partnership with International Funeral Directors in the UK (see Annexes A and B on pages 8 and 9 of this bereavement guide) to facilitate repatriation. Thai undertakers will provide the special caskets required for the international carriage of human remains. A local civil registry death certificate, a certificate of embalming, and a certificate permitting transfer of the remains to the UK is required to repatriate the deceased. These will be arranged by the Thai undertaker. Our Embassy can provide covering letters for British Customs. Local formalities for repatriation normally take 8 to 10 working days to complete.

If the deceased was covered by travel insurance, the insurance company will normally have a standing agreement with an International Funeral Director in the UK.
and will arrange repatriation on your behalf. If the deceased was not covered by insurance, the NoK will need to appoint their own International Funeral Director. A list of companies is attached at the end of this document in Annex B.

We appreciate that the NoK may not always live in the UK. International Funeral Directors can organise repatriations to most countries in the world.

If, for some reason, repatriation is not possible, our consular staff will try and inform NoK as soon as possible.

**Local Burial**

As Thailand is a Buddhist country, burials are rare – and normally only for foreigners. As a result they can be very expensive and difficult to organise. We advise that if the NoK wish to have the deceased buried that they consider having the body repatriated and arranging for the funeral to take place in the UK.

**Letter of Release**

Thai local authorities generally require written authorisation from the Embassy for the NoK, undertaker or other authorised representative before they release a body for cremation/repatriation – this is known as a ‘Letter of Release’. The Embassy will need written confirmation from the NoK informing the Embassy who they have requested to organise the funeral/repatriation before the Letter of Release can be issued.

**Autopsies (Post Mortems)**

If the Royal Thai Police are not satisfied after a preliminary examination of the facts surrounding a death, they can request an autopsy. Further investigations and interviews with witnesses may also be called for before a decision is made as to cause of death. The autopsy report is usually available three months after a death has occurred. You will need to organise and pay for the translation of the report into English, if you need one. Your contact at the FCO in London can provide you with a list of translation companies or you can visit the British Embassy in Bangkok website: [https://www.gov.uk/government/world/thailand](https://www.gov.uk/government/world/thailand), where you will find contact details for Translation and Interpretation Companies in Thailand. You should be aware that an autopsy report is a factual, clinical document and as such you may find the contents graphic and distressing.

In cases of sudden or unexpected death, for example by accident or misadventure or where a person dies unattended, the police will prepare an initial report of their findings - a copy of which will be sent to the Embassy. 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. This can delay the release of the body.

*A separate document explaining what to expect when someone dies in suspicious circumstances can be obtained through your contact at the FCO.*

During an autopsy, samples of organs can be removed for testing, including toxicological studies, at the discretion of the doctor without consent of NoK. NoK are not informed about the removal of these samples or their retention by the Thai authorities. The Embassy has no authority to intervene in this procedure, or to stop it taking place.

Once the Thai authorities are content that no further examinations need to be made, the deceased’s body can be cremated in Thailand or returned to the UK before tests on removed organ samples are completed. Any samples removed are retained for the duration of the tests and are then put in storage for thirty days before being destroyed. Samples of organs or the organs themselves cannot be removed for any purpose other than testing without prior consent of the deceased (for research or transplants) or NoK (transplants only).

**Mortuary Facilities**

There are mortuaries at most private hospitals in Thailand and at some government hospitals. The standards applied, for example in relation to storage temperature, vary from hospital to hospital. Although we will do everything we can to ensure appropriate storage, we cannot guarantee the conditions. Some mortuaries also charge a daily fee for storage of a body. We recommend that you make a decision about funeral arrangements as soon as possible.

**UK Coroners**

If the body is repatriated to England or Wales, a coroner may decide to hold an inquest if the death was due to unnatural causes, sudden or violent. An inquest will not be held if a post mortem renders this unnecessary by demonstrating a cause of death that is certain, and neither violent nor unnatural. Coroners will only look into the deaths of those persons whose bodies physically lie in their districts (this does not include cremated ashes). An inquest allows the coroner to confirm the identity of the deceased, the place and date of birth, how the cause of death arose and to give an official verdict. The Coroner can only give one of the following verdicts on how death was caused:

- Natural Causes
- Accident or Misadventure
- He or she killed him/herself (i.e. suicide)
- Unlawful killing
- Lawful killing
- Industrial disease; or
- Open verdict (where there is insufficient evidence for any other verdict)

Alternatively, the Coroner can give a narrative verdict which sets out the facts surrounding the death in more detail and explains reasons for decision.

It is not the Coroner’s role to apportion blame for the death nor to investigate any alleged crime overseas.

You should be aware that British coroners do not generally have access to judicial files from other countries. Consequently coroners may order a post-mortem as part of their inquest.

Coroners can request copies of post-mortem and police reports from the Thai authorities via the FCO in London. However, these will only be provided once any judicial proceedings are completed. 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 Northern Ireland are also not obliged to hold an inquest into cause of death. NoK can apply for a judicial review if no inquest is held.

For further information on inquests please contact your nearest Coroner’s Office. Contact details can be obtained from your local Police Station.

**Return of Personal Effects**

Personal effects are normally returned to NoK, or their authorised representative, without any formalities. Usually the undertaker will assist with returning belongings. Please note that the FCO cannot assist with the cost of returning personal effects to the NoK.

**Release of Information**

Access to information concerning a death, other than post-mortem and police reports can be difficult. The Thai authorities will not provide this information directly to NoK. Requests for this information should be made through a legal representative. Our consular staff can provide a list of English speaking lawyers in Thailand or you can find this list on the British Embassy in Bangkok website: [https://www.gov.uk/government/world/thailand](https://www.gov.uk/government/world/thailand)
The release of any information can take many months, and the documents will be in Thai.

**Legal Aid**

Legal Aid is not available for legal representation in Thailand. Under certain circumstances, such as a suspicious death, you may wish to use a local lawyer to represent your interests should a trial be necessary. In some cases you may be able to act as co-plaintiffs and play a more active role in the court proceedings. Should you wish to act as a co-plaintiff, or have detailed feedback from court proceedings, you may wish to engage a lawyer before the case passes to the public prosecutor, normally about 84 days after an individual has been arrested. Please see the attached list of English speaking Thai lawyers.

**Compensation for Victims of Crime or a Fatality**

In certain circumstances the Thai authorities may provide compensation to the victims of a crime or to the family of those who suffer a fatality. These schemes are provided for by The Ministry of Justice and also the Ministry of Tourism and Sport. The compensation schemes cover victims of the following circumstances: Terrorism, Natural Disaster, Victim of Rape, Victim of Assault, Victims of a Crime.

The Ministry of Justice scheme has a maximum amount payable of 100,000 Thai Baht and may take up to five years to grant a payment. The Ministry of Tourism and Sport has a maximum amount payable of 300,000 Baht.

Compensation payments made in respect of a death must be collected in person by the next of kin, or by appointing a Power of Attorney to collect on their behalf. Claims should be directed to the Department of Rights and Liberties Protection (Justice Ministry scheme) Bureau of Prevention and Assistance Fraud (Ministry of Tourism and sport scheme).

Negotiations on the issue of compensation are between the claimant and the relevant Ministry; the Embassy is unable to act on your behalf in these matters. You may wish to seek advice from a local lawyer who could represent your interests.

**Registration of the Death**

A local death certificate, citing the likely cause of death, will be issued by the Thai Authorities in the Thai language, and is usually available within a day or two of death. You should be aware that the cause of death given on the death certificate is often given in basic terms, and often does not reveal any underlying causes. Translation services are widely available in Bangkok, and less so in rural areas. If you wish to obtain a certified copy of translation (which you may need to assist with
probate in the UK), please get in touch with your contact in Consular Directorate in London.

Deaths of British nationals overseas are not automatically recorded in the UK Register Office, nor is there any obligation for the death to be registered with the British Embassy in Bangkok. However, NoK may find that there are advantages in doing so - a British form of death certificate is then available, and a record of it would then be held at the General Register Office in the UK.
Annex A

Thai International Funeral Directors

AMAR Allison Monkhouse Andrews Repatriations
Dao Micallef
Manager of the Asia Division
AMAR International Asia
S16 Residence, 256/9 Sukhumvit 16
Klong Toei, Bangkok 10110, Thailand
Tel: +66 (0)2 258 59 46
Mobile: +66 (0)92 859 56 16
Email: dao@amarepatriations.com
Website: http://www.amarinternational.com

AsiaOne International by Teck Hong Funeral (AsiaOne-THF)
No. 7, THF Building
Chan Road Soi 46
Wat Phrayakrai, Bangkholaem
Bangkok 10120
Tel: +66 (0) 2 675 0501–2
Mobile: +66 (0) 81 854 3165 (Hirun)
Mobile: +66 (0) 81 845 7592 (Jessica)
Fax: +66 (0) 2 675 2227
Email: info@asiaone-thf.com
Website: http://www.asiaone-thf.com
Ask for Mr Hirun Teckhong or Mrs Saranya Teckhong (Jessica)

Evercare Solution
8 Flr., CCT Tower
109 Surawong Rd.,
Bangrak, Bangkok 10500
Mobile: +66(0) 89 215 7799
Tel: +66 (0) 2 634 3239
Fax: +66 (0) 2 634 0960
Email: pim@evercaresolution.com
Website: http://www.Evercaresolution.com
Ask for Pim Karnasuta

Siam Funeral & Repatriation Co., Ltd.
30/21 Village No. 6
Klongsi Subdistrict
Klongluang District
Pathumthani 12120
Tel: +66 (0) 2 902 7907
Fax: +66 (0) 2 902 7906
Mobile: +66 (0) 86 777 0214 Email: Varavut@siamfuneral.com,
siamfuneral@gmail.com Website: www.siamfuneral.com Ask for Mr Varavut Rohtjanaburanon

** All speak fluent English

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Annex B

International Funeral Directors in the UK

The Co-operative Funeralcare Worldwide Repatriation
221 Upper Richmond Road
Putney
London
SW15 6SQ
Tel: 020 8788 1790
Call Centre: 0800 088 4883
Email: funeralcare.worldwiderepatriation@co-operative.coop
Website: http://www.co-operativefuneralcare.co.uk/

Rowland Brothers International
299-305 Whitehorse Rd
Croydon CR0 2HR
Tel: 020 8684 2324
Fax: 020 8684 8000
Email: info@rowlandbrothersinternational.com
Website: http://rowlandbrothersinternational.com/

National Association of Funeral Directors
618 Warwick Road
Solihull
West Midlands
B91 1AA
Tel: +44 (0) 121 711 1343 (from overseas)
Tel: 0845 230 1343 (in UK)
Fax: 0121 711 1351
E-mail: info@nafd.org.uk
Website: www.nafd.org.uk

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