Pregnancy loss and stillbirth in Scotland

The Scottish Government does not hold this information centrally, and only the number of stillbirths each year can be regarded as reliable, as stillbirths are required to be registered. The report of the Infant Cremation Commission notes that 274 stillbirths were registered in 2012. The Commission reported 12,447 terminations in 2012, with figures taken from NHS National Services Scotland Information Services Division statistics. The Commission also noted that the NHS deals with an estimated 5,000 – 6,000 miscarriages each year.

Mother under 18

The mother will always be able to instruct the disposal of remains. Section 47 relates to the death of a child and to stillbirth, in which case the nearest relative has the right to instruct the disposal. The Bill defines the nearest relative in this case to be the child’s parent. The age of the mother (or the father in this case) would not have a bearing on her right to make that decision. The only age restriction in relation to this is if someone other than a parent was less than 16 years of age (for example, the deceased child’s brother or sister). Similarly, in the case of a pregnancy loss, the age of the mother is not relevant, and the mother will have the right to instruct the disposal of the remains. If she chooses to nominate another person to make the decision on her behalf she will only be able to nominate someone who is 16 years of age or older.

CMO guidelines

The CMO guidelines on disposal of pregnancy loss issued in July 2012 were reviewed by Lord Bonomy as part of the work of the Infant Cremation Commission, which reported in June 2014 and resulted in revised CMO guidance on disposal of pregnancy loss being issued in April 2015. The revised guidance also reflects the work undertaken by the National Committee on Infant Cremation. The revised guidance states that NHS Boards will be expected to undertake an audit of the implementation of the guidance one year after date of issue (17 April 2015) and report back to the Scottish Government.

In addition, Healthcare Improvement Scotland scrutinise NHS hospitals and services as well as independent healthcare services to provide the public with assurance as to the quality and safety of healthcare.

Scottish Government