

1. Mr. Lillis,
2. Assistant Secretary,
Mr. Cullen.

Mr. Graham Hanlon from Eugene F. Collins office called today and I outlined our concerns with this application. He took away the application forms, death certs + "no trace" forms and will submit a fresh application. They seem to have gone as far as could reasonably be asked in trying to produce death certs.

Exhumation licence application - High Park Convent

J 29.4.93

Please see Ms. Ryan's minute of 25th March 1993 regarding her discussion with Mr. J. Cleary, General Register Office on the registration of deaths in connection with the above application. Draft reply for issue to the Solicitors representing the High Park Convent as recommended by the Legal Adviser is attached across.

In relation to the application generally, death certificates have been produced for 75 of the remains to be exhumed, even though, in all of those cases, the exhumation licence application stated that death certificates were not available. Clearly, the Convent mistakenly inserted the same information on the application forms for the 133 remains to be exhumed. This explains the reference by the Legal Adviser, in his minute of 11th March 1993, to a number of cases "where the deceased is subject to the standard formula no death certificate available, yet there is a death certificate on file". I would also refer to our current practice (set out in Departments Circular Letter ENV 11/90 of 5th October 1990 to local authorities - copy attached) where the requirement that a death certificate be produced is not insisted upon where a certificate would be inordinately difficult to obtain. The original draft of the Circular included a provision that death certificates were not required in cases where death occurred more than 40 years before the date of the exhumation licence application but this was deleted in the final version. Perhaps we would use this as an informal "rule of thumb" for future applications where applicant is unable to produce a death certificate and has made reasonable attempts to do so.

The position on this application, and the approach we adopt in relation to future exhumation licence applications where death certificates are not produced, can be reviewed after the Solicitors for the High Park Convent have pursued the questions of the unregistered deaths and the possibility of obtaining a death certificate for the 58 remains without one with the General Register Office and have notified the Department of the outcome.

1. Mrs Ryan, 30/4/93
2. Mrs Clarke,
 Please note position outlined in Mr. Lillis' minute of 29.4.93 and FA, pending further submission from Solicitors.
 UK 30.4.93.

C Keenan

Local Services Section,
 9 April, 1993.