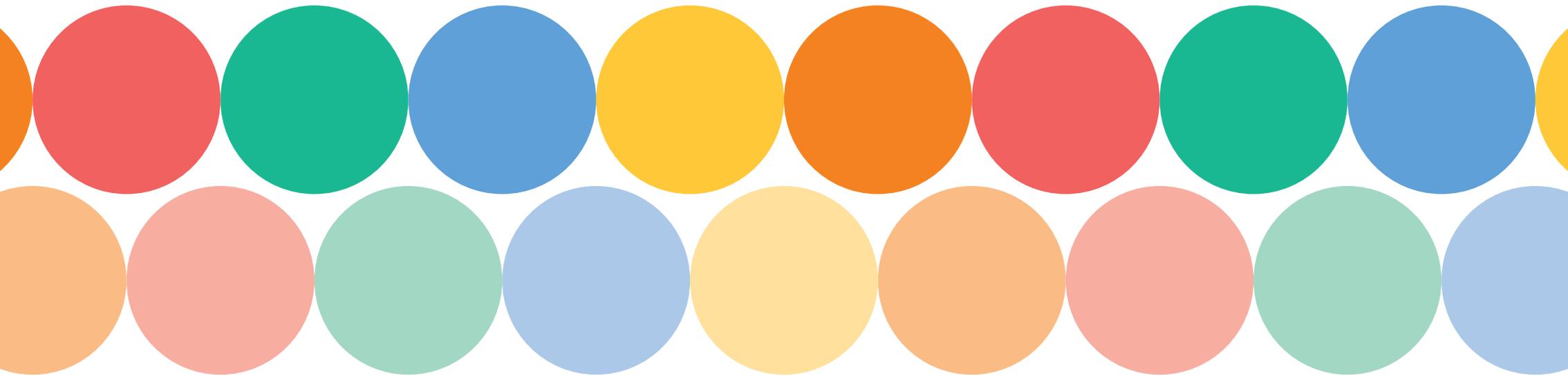




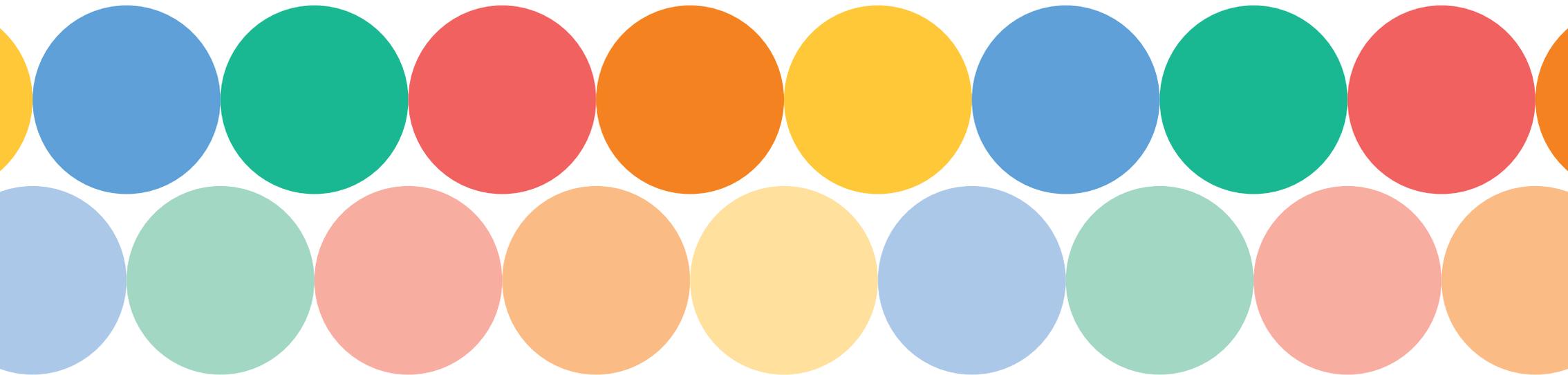
YOU ARE NOT ALONE

Help and advice on coping with
the death of someone close



National Office for Suicide Prevention
Mental Health Division, Health Service Executive,
Stewart's Hospital, Palmerstown, Dublin 20.
T: 01 620 1670
www.nosp.ie





Prepared by:
National Office for Suicide Prevention, Republic of Ireland.

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Introduction

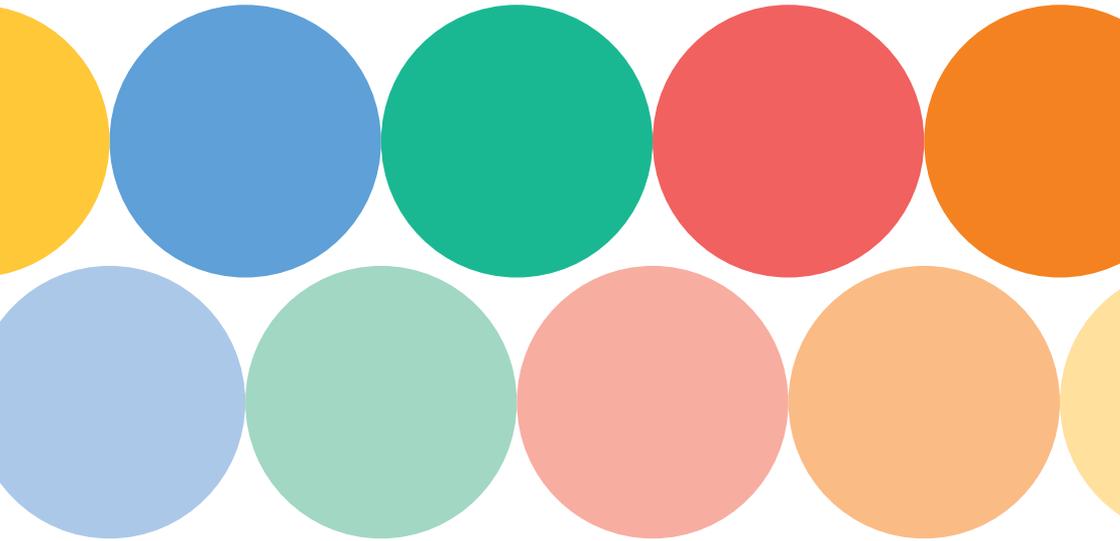
Losing someone to suicide is one of the most devastating things that you can experience.

We hope that this booklet will help you, your friends and your family through this difficult time. It gives information on what to expect and on how to manage the many practical matters that have to be dealt with when someone dies.

You can find information on bereavement support services online at www.yourmentalhealth.ie

Section 1

Immediate Reactions



Why?

Death by suicide is an overwhelming loss that can leave families, friends and communities with a range of emotions and many unanswered questions. Those left behind may feel guilty and blame themselves. Families and friends often try to think of what clues they may have missed or how they might have been able to prevent the suicide. Making sense of the death, trying to find an explanation and dealing with questions such as *“Could I have prevented the death?”* or *“Am I to blame?”* are all part of the emotional turmoil that follows a suicide.

Unfortunately, it may not always be possible to understand what has happened. Asking *“why”* is important, but sometimes the answer may never be found. Although a stressful event may appear to have been the trigger, it will seldom have been the sole reason for death. Suicide is often the result of a complex combination of several significant factors. In the end, you may never fully understand the deceased's frame of mind at the time of death.

What is important is to grieve and to come to a state of acceptance, even without having all the answers. At some stage over the course of grieving, a conscious choice may need to be made to fully live life again. While grieving never completely ends, most people learn to live with their loss and the pain will soften over time.

Getting through the experience, moving beyond the puzzlement of why and learning to fully function again are important challenges in the grieving process.

Facing loss and pain

It is normal for individual family members to respond differently when someone dies by suicide, depending on their relationship with the deceased. How people grieve and for how long varies from person to person. You may experience very different emotions from another person who was also affected and you may feel certain emotions more strongly than others. Different people will communicate how they are feeling in their own individual way, or they may not want to talk at all for a time.

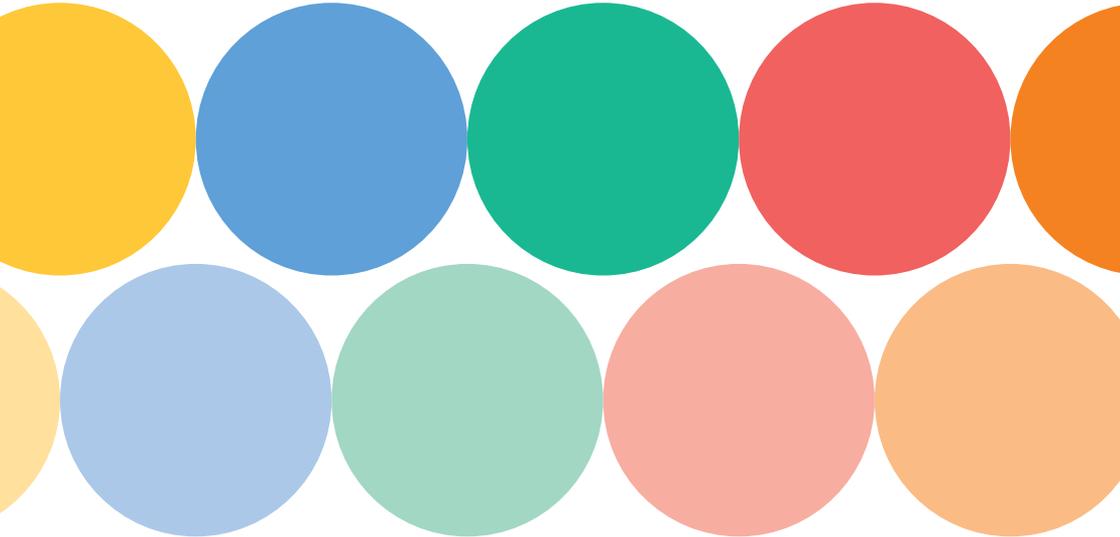
Sometimes, feelings of hostility and bitterness towards one another may surface. For others, withdrawal or excessive talking may be their way of coping. However people react, they are usually trying to find a way to make sense of what has happened, express their feelings, get information and deal with their inner turmoil and pain.

Over time, the intensity of the pain and loss usually subsides; most people learn to live with their loss and adjust to their life without the deceased. It is important to remember, though, that there is no set amount of time to grieve and everyone will grieve in their own personal way.

While you are coping with your grief, talking through your feelings with a trusted friend or relative may be all the support you need. For others, meeting people who have had a similar experience will bring tremendous relief and a sense of comfort and healing. Other people may need extra support from their General Practitioner (GP), family doctor or a professional counsellor.

Section 2

Natural Responses



What to expect – How you might feel now or in the future

The aim of this section is to describe some of the most common feelings you might experience shortly after losing your loved one.

Death by suicide can cause very painful emotions. The sudden loss of a loved one can be chaotic and alarming. Complete shock, numbness or disbelief are common early responses, which often mask the full realisation of what has happened. After the initial shock, you might experience a range of other feelings, for example, guilt, feeling down or distress.

Everyone will grieve in their own way but the following are some of the more common reactions that people experience following a death by suicide.

Common emotions after a death by suicide:

INITIALLY

- Feeling shock, along with physical and emotional numbness.
- Denial, looking for explanations and becoming angry at others.
- Shame, guilt and rejection and feeling a lack of social support.
- Wanting to hide the truth.
- Relief, if the deceased had many difficulties before their death.

LATER

- Needing to know why it happened.
- Feelings of panic.
- Anger at yourself, at the deceased or at others.
- Difficulty relating to family members.
- Worry that you or another in the family may be vulnerable to suicide.
- Finding it hard to trust others again.
- Low mood, no energy.
- Depression.
- Feelings of tension or anxiety.
- Finding it hard to sleep.
- Recurring images or dreams/nightmares.

Guilt

It is very common to feel guilty when someone dies by suicide. You may feel guilty about things you did or did not do. You might feel an overwhelming sense of regret, self-doubt and deep shame.

You may ask yourself some or all of the following:

- *“Why didn’t I listen?”*
- *“Why didn’t I prevent this from happening?”*
- *“Why didn’t I give him or her more time?”*
- *“What did I do to contribute to his or her death?”*

If you are feeling guilty or blaming yourself, you will need time and support to understand and accept that suicide is an individual act. No one person is in control of another person’s fate.

Anger

It is normal and natural to feel angry from time to time. Anger may be directed towards yourself, toward the person who died, or towards others in your family or community. Sometimes anger can present itself in very physical ways, causing you to feel tense and irritable. Some people may lash out at others. Within a close family or community, anger can bring added strains, stresses and misunderstanding to relationships.

Relief

In some cases, where a suicide has occurred, there may have been a period of challenging problems or difficult behaviours leading up to the person’s death. For example, the deceased may have had long-term psychiatric difficulties, problems with substance misuse or repeated episodes of self-harm or suicide attempts. For these reasons, some people may feel a sense of relief. You may also feel guilty about having this sense of relief. Having a sense of relief is not unusual, but this reaction to a death by suicide is generally less accepted, and can be misunderstood by other people.

Depression

It is not uncommon to experience low mood and some of the symptoms of depression after losing someone to suicide. Common symptoms of depression include:

- Feelings of sadness or hopelessness.
- Lack of interest in daily activities and in the things you enjoy.
- Difficulty concentrating.
- Lack of motivation.
- Sleeping too much, too little or having disturbed sleep.
- Comfort eating or loss of appetite.
- Tiredness or fatigue with no physical cause.

If any of these symptoms of depression last for some time, it's a good idea to talk to a professional, such as a GP (family doctor). Depression can interfere with our enjoyment of life and our ability to do the things we want to do. Getting help for low mood or depression can really make a difference.

Trying to cope with your emotions after the death of someone close can seem overwhelming. There is support available if you are finding it hard to cope. Talk to your GP or use one of the support services that are available for people bereaved by suicide. You can also find support services online at www.yourmentalhealth.ie

Coping with emotions

What has helped others?

- Learning to mourn.
- Acknowledging all feelings.
- Talking honestly with others.
- A support network (counselling service, community supports).
- Faith, religion or spirituality.
- Reviewing pictures and mementos.
- Visiting the grave.
- Re-arranging and storing the belongings of the deceased.
- Writing a letter to the deceased or connecting with them in new ways.
- Meeting others with similar experiences, peer support.
- Memories and reliving good times.
- Remembering and acknowledging the person at significant times (anniversaries, birthdays etc.).

Grieving expressed openly and honestly, can be one of the most liberating experiences of life.

JERUSHA McCORMICK

Learning to live with grief and loss ¹

1. Know you can survive. You may not think so but you can.
2. Struggle with “why” it happened until you no longer need to know “why” or until you are satisfied with partial, or no answers.
3. Know that you may feel overwhelmed by the intensity of your feelings but that all your feelings are normal.
4. Recognise that anger, guilt, confusion and forgetfulness are common responses when you are in mourning.
5. Be aware you may feel inappropriate anger at the person, at the world, at God, at yourself. It’s okay to express it in a safe way.
6. Accept that you may feel guilty for what you think you did or did not do.
7. Know that having suicidal thoughts is common. It does not mean that you will act on these thoughts. However, seek help if you have frequent suicidal thoughts or if you are thinking of acting on them. Go to your GP or the Emergency Department of your nearest general hospital.
8. Remember to take one moment or one day at a time.
9. Find a good listener with whom to share. Call someone if you need to talk. If you don’t want to talk to friends or family, you can contact Samaritans on Freephone 116 123 or email jo@samaritans.ie.
10. Don’t be afraid to cry. Tears are healing.
11. Give yourself time to heal.
12. Remember the choice was not yours. No one is the sole influence in another’s life.
13. Expect setbacks. Emotions can return like a tidal wave but you may only be experiencing a remnant of grief, an unfinished piece.
14. Try to put off major decisions.

15. Give yourself permission to get professional help.
16. Be aware of the pain of family and friends.
17. Be patient with yourself and with others who may not understand.
18. Set your own limits and learn to say no.
19. Steer clear of people who want to tell you what or how to feel.
20. Know that there are support services that can be helpful such as Samaritans. You can also find information on support services online at www.yourmentalhealth.ie.
21. Call on your personal faith to help you through.
22. Expect physical reactions to your grief, e.g. headaches, loss of appetite, inability to sleep. Your GP can give you advice about coping with these reactions, if needed.
23. Be willing to laugh with others and at yourself – It can help you to heal.
24. Wear out your questions, anger, guilt, or other feelings until you can let them go. Letting go doesn't mean forgetting.
25. Know that you will never be the same again, but you can survive and even go beyond just surviving.
26. Be kind and gentle with yourself.

¹ Adapted from: Bolton, I. (1993). *My Son...My Son...A Guide to Healing After Death, Loss or Suicide*. Atlanta: Bolton Press.

When children are bereaved

The death of a sibling, parent or another close person may be a very confusing experience for a child. Because of the shock and tragedy of the death, parents often don't have the words to tell a child. They may worry that the child will not be able to cope with the reality of a death by suicide.

Adults can help the young person by acknowledging their feelings, by listening and by offering them the time and space to talk about the dead person and about themselves. Such a response will contribute to healthier emotional development in the future. Trying to hide the real cause of death causes an unnecessary burden on adults and only postpones the resolution of grief in the child to later years.

Honest and truthful communication shared in a loving and caring way helps a child to deal with, and recover from, the traumatic experience. The key is to share the truth gradually but always with respect to the age of the child. Gradual disclosure allows the child to ask questions and talk about worries as they arise. It also enables them to embrace the sadness of never seeing their loved one again.

Children will vary in their responses. Some children initially respond to a death with shock and denial. Depending on their age, they may react by screaming, crying or with withdrawn behaviour. Others become angry and, following a parent's death, fearful that other loved ones might also die. Some children may blame themselves for the death.

It is not unusual for small children to be seen playing or carrying on as normal at times fairly soon after the death. This should not be taken as a sign that they do not know what is going on. It may be an opportunity to allow the enormity of the event to sink in or perhaps a break from the intense feelings being experienced.

Most children learn to deal with and recover from the trauma of losing a loved one. If a child continues to exhibit ongoing distress, sleep disturbance or withdrawn behaviour, professional support may be required. Talk to your GP or visit www.yourmentalhealth.ie for listings of bereavement support services.

Telling the child²

Breaking the news to children of the death of a parent, sibling, close relative, or friend can be very difficult. Whether the death is sudden or anticipated, parents and carers want to protect children and themselves from greater distress. However, children need to be told about death and helped to understand the implications of their loss.

- Use simple and practical terms. Try and link the explanation to what children already understand about loss i.e. loss of a pet, change of school, death of a relative.
- Use words like dead and dying. Even though they seem harsh, they are less likely to lead to misunderstandings later.
- Make it clear that when someone dies this means that their body is no longer working, the heart stops beating. They no longer need to eat and sleep and they no longer feel any pain.
- Be careful about using words like “she’s gone to sleep”; “gone away”; “we lost granddad”. Children may get confused by these terms and our everyday use of them.
- In the absence of information children will make up their own stories, which can be more frightening than the actual facts.
- When telling the child about a loss, particularly if it is somebody very close to the child, ensure that they are not alone.
- Be prepared to have to repeat the story several times and answer repeated questions. This is the child’s way of making sense of what happened.
- Children need to be given permission to express their feelings in their own way. Children may be angry or withdrawn.
- Let the child know that they can talk to important adults, relatives and friends about the death.
- Continue to offer the child reassurance and support in the days, weeks and months ahead as they make their own journey through the grieving process.

- When a child dies the surviving child/children are also grieving. They can often idealise the child who died and feel unable to fill that child's role and feel they may not be good enough for the parent.
 - It is really important that children receive the message about their own worth and place in the family.
- ² *Bereavement Information Pack, National Children's Resource Centre, Barnardos, 2008.*

*Give sorrow words; the grief
that does not speak whispers
the o'er-fraught heart
and bids it break.*

WILLIAM SHAKESPEARE

Who should tell the child?

If a death is sudden, the child probably feels most protected if informed by a familiar close family member, preferably a parent. When this is extremely difficult and the child is told by another adult, try as soon as possible to ensure that the child is reunited with a trusted adult, preferably a parent, who can repeat the news. Otherwise children have greater difficulty in accepting the loss and tend to distance themselves from this reality.

Barnardos Children's Bereavement Service

Barnardos Children's Bereavement Service is a service for children and young people who have lost someone close to them – like a parent or a sibling – through death. While we can't shield children from the reality of death and the pain of loss, we can help them to understand, to grieve and to cope a little better. Contact the Barnardos Bereavement Helpline Service for more information, on 01 473 2110.

How do I deal with friends and neighbours?

While all kinds of loss are painful, the issues can be different when dealing with a death by suicide. You may find it too difficult to face the world and talk about the death.

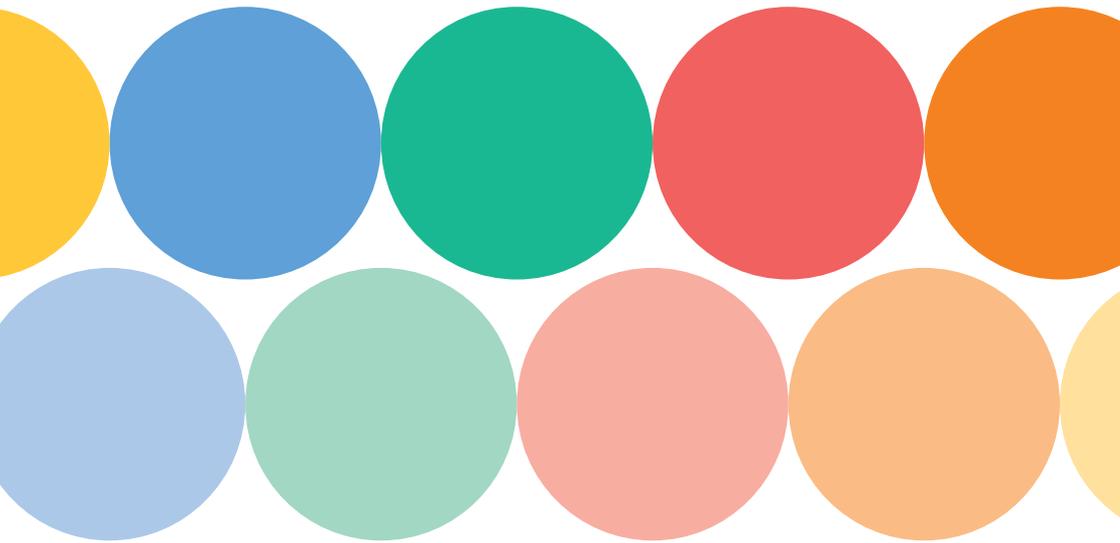
If you are close to your neighbours and the community, you may feel comfortable and strong enough in talking with them about what has happened. Generally, friends and neighbours are well meaning and want to give support but they may feel uncomfortable. They may be afraid to upset the family or think it's best to leave you alone.

It may be helpful to take the initiative, by simply stating that the death has happened and ask for practical help.

If you are uncomfortable with talking about the death then you don't have to talk about it. When you are ready, talk about the things you wish to discuss with the people you feel comfortable with.

Section 3

Events that follow a death by suicide



It can help to know what to expect after a death by suicide

Usually what happens is:

- The family will contact a funeral director to start the funeral arrangements.
- A death notice will be put in the newspapers.
- The Coroner will be told about the death.
- Garda will come and talk to the family to get information about what happened.
- A post mortem or inquest may happen.
- The death will be registered.
- A death certificate will be issued.

Contacting a funeral director

After someone dies one of the first things people usually do is contact a funeral director. The funeral director can support and help you to deal with immediate practical matters like arranging to have the death notice put into the newspaper, as well as planning the funeral service. For more about funerals see page 21.

Registering the death and getting a death certificate

When someone dies the death must be officially registered. Then a death certificate can be issued. It is important to have the death certificate when sorting out legal and money matters, such as the will, benefits, insurance policies, bank accounts etc. See section 4 for more about sorting out legal and money matters.

What is registering the death?

Registering the death means officially recording that the death has happened, and the time and place of death. The cause of death must also be recorded. After a death by suicide a Coroner will be involved in giving the official cause of death.

What does a Coroner do?

A Coroner is an official who investigates the cause of deaths that are sudden or unexplained. The Coroner is usually helped to do this by the Gardaí. The Coroner may ask for a postmortem (see page 20) or there may be an inquest to help decide the cause of death.

What do the Gardaí do?

Gardaí usually visit the relatives so that they can give the Coroner information about what happened. This does not mean that there is anything suspicious about the death. It is just part of the normal procedure when a sudden death (not caused by an illness) happens.

The Gardaí will ask questions about what happened and send a report to the Coroner. They will take statements, and a relative or partner of the deceased may need to formally identify the body.

What is a post mortem?

A post mortem is an internal and external examination of the body of the deceased to discover the medical cause of death. It is done in a hospital by a specialist called a pathologist. It will be done in a professional and sensitive way. The body is usually released to the family immediately after a post mortem.

What is an inquest?

An inquest is an official, public enquiry into the cause of a sudden, unexplained or violent death. An inquest is usually held if a post mortem cannot give the cause of death. An inquest will not be held until at least 6 weeks after the death. Family members may attend but they do not have to do so. Witnesses may have to give testimony on oath about the circumstances and cause of the death. Though this might feel like a criminal trial, the witnesses are just helping to give all the facts about the death. Nobody will be found innocent or guilty. The Coroner (or sometimes a jury) will give a verdict about the identity of the person that died and when the death happened. They will also give the official cause of death. Causes include 'suicide', 'accidental death' or 'death by natural causes'.

All inquests are held in public and anyone may attend. Reports of inquests may be carried in national and local newspapers but usually only a minority of inquests are actually reported.

Coroners in Ireland are very much aware of the tragic circumstances often involved in inquests and will try to treat each inquest sympathetically. Every attempt is made to ensure that the inquest proceedings are not unduly intrusive on families and friends concerned.

How are deaths registered?

When someone dies after being ill a doctor normally gives the official cause of death and fills in the first part of a Death Notification form. Whoever is registering the death (usually a partner or family member) has to fill in the second part of the form and take it to a Registrar of Births, Marriages and Deaths office. They must show photo identification and sign the Register in the presence of the Registrar. This should be done as soon as possible and within 3 months of the death. There is no charge to register a death.

How are deaths by suicide registered?

When a death is not from illness or where a doctor wasn't involved in a person's care before their death a Coroner has to give the official cause of death. The Coroner will then issue a certificate so that the death can be registered. A death will be automatically registered where an inquest or post-mortem was held by a Coroner and the Coroner's certificate has been received by the Registrar. There may be a delay in registering the death when there is a post-mortem or inquest.

How to get the death certificate

Death certificates are available from any Registrar of Births, Marriages and Deaths office. Each copy is €20. If a copy is needed for social welfare purposes it costs €1. A letter from the Department of Social Protection is needed to get this reduced cost certificate. You can also apply online for a copy of a death certificate at www.certificates.ie.

If there is any delay in getting the death certificate – for example if there is a post-mortem or inquest – and you need to sort out social welfare benefits, the Department of Social Protection will accept a copy of the death notice from the newspapers in place of a death certificate.

Funeral arrangements

A sudden or unexpected death, by its nature, means that you don't have the chance to say goodbye. The funeral can give you a chance to arrange and plan a farewell. By not rushing the funeral, taking time to come to terms with what has happened and being with the deceased, you may get some sense of comfort.

Some families who have experienced a death by suicide felt that it was very

important for them to spend time with the body. Even if family members do not wish to view the deceased, a vigil beside the closed coffin is often helpful. Other families emphasise the benefits of and comfort in having a public funeral so that adequate tribute is given to the deceased.

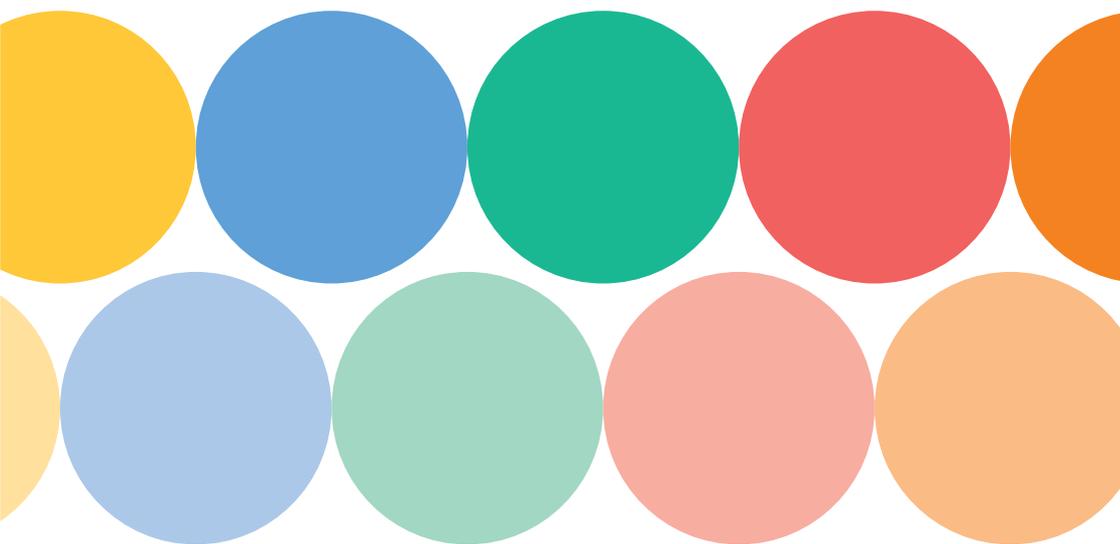
Funeral arrangements should not be made until the body is released to the spouse or next of kin. If there is a post-mortem the body is usually released immediately afterwards. If an inquest is to be held the funeral can usually go ahead in the meantime.

The funeral director will help you to plan the funeral. They can deal with the burial or cremation arrangements, such as the service, flowers and transport. They will also help you get any documentation you need, before or after the funeral.

Further information is available at www.citizensinformation.ie.

Section 4

Sorting out practical matters



Dealing with practical matters when someone dies

When a person close to you dies, it can be difficult to make decisions and deal with the many things that have to be done at a time of such considerable stress. However, there are issues such as possible social welfare entitlements, tax and other money matters that may need to be addressed.

The estate of the person who died also has to be dealt with (a person's estate is any money, property and any other belongings they own).

This section aims to provide some general information concerning financial and legal matters. Some of the financial and legal information can be confusing or difficult to understand, especially when you are coming to terms with the loss of a loved one. If you need more in-depth information or help, contact your local Citizens Information Centre, call their phone service on 0761 07 4000 or visit www.citizensinformation.ie. Citizens Information provide free and confidential information to help you deal with your affairs after bereavement. They can also give you details of how to get free legal or accountancy advice.

Checklist of things to do following bereavement

Legal issues

- Contact a funeral director to arrange the funeral.
- Register the death and obtain a death certificate.
- Notify the deceased's solicitor, if there is one.
- Notify the executors named in the will.
- If there is no will, decide who to appoint as administrator to administer the deceased's estate.

Financial

- Notify banks, building society, credit union, post office, companies in which shares are held, etc.
- Cancel direct debits/standing orders in the deceased's bank or building society.
- Cancel subscriptions to clubs/groups/magazines, etc.
- Cancel insurance policies, health insurance etc.
- Contact the Department of Social Protection if the deceased was receiving a payment.
- Contact any hire purchase/loan companies.
- Contact the tax office about possible tax refunds/credits.

Housing

- If the deceased held a mortgage, change the name on the mortgage. Change the name on the house deeds.
- If the deceased person was living in rented accommodation tell the landlord and arrange to have the name on the tenancy agreement changed, if necessary.
- Tell the gas / electricity / water and other utility suppliers about the death and change the name on household utility bills, if necessary.
- Contact An Post to re-direct post to yourself or to the executor or administrator of the estate.

Other

- Notify the deceased's employer if an employee or the school/college if in education.
- Contact the local health office of the deceased or voluntary organisation if they were getting community care health services.
- Contact the doctor/hospital if the deceased was awaiting any appointments.
- Contact the travel agency, hotel, airline etc., if the deceased had made reservations, to enquire about any refunds.

Financial matters

Managing money immediately after a death

Sometimes it can be hard to manage money immediately after someone dies. For example, a dependent spouse, partner or child may need money to cover funeral costs or living expenses while waiting for the solicitor to sort out the will and the deceased person's estate.

Getting money from bank accounts

In some cases you may be able to receive some money from the deceased person's accounts – if you had a joint account, or if they had a credit union or post office account that named you as the beneficiary in the event of their death. If the person's account was in their name only you usually need to wait until probate has been taken out (see page 38). If the amount of money is small, the financial institution may release it in certain circumstances. See page 28 for more details on bank accounts.

Other financial support

- Some insurance policies or pensions provide an amount of money to be given to help with immediate expenses.
- You may qualify for certain social welfare payments to help you at this difficult time.

For example:

Widowed or Surviving Civil Partner Grant - This is a once-off payment to widows/widowers/surviving civil partners with dependent children.

Exceptional Needs Payment - This can be paid to help with funeral costs if you are on a low income. Each case is decided on its merits. Your Department of Social Protection's representative (formerly known as the Community Welfare Officer) prefers if you apply before the funeral takes place, but in practice, most people apply afterwards.

If the deceased was getting a social welfare payment, their spouse, civil partner or cohabitant may be able to carry on getting the **social welfare payment for six weeks after the death**. You may also be entitled to different longer-term benefits because of your bereavement. See page 31 for more information on social welfare payments.

Money in the bank or building society

Accounts in the deceased's name only

If money in the bank/building society is in the deceased's name only, then you usually cannot get access to it until probate is taken out (see page 38).

Joint account with your spouse

If you have a joint account with your spouse you can withdraw money from the account. Spouses are not liable for tax on inheritances from each other. You should apply to the Capital Taxes Office of the Revenue Commissioners for a letter of clearance.

Joint account with another (e.g. relative, partner or parent who dies)

If the account is held jointly with a person other than your spouse, talk to your bank or building society. This is because you may need to pay tax on any money you receive from an account shared with the bereaved person. The bank or building society may need a statement from the Revenue Commissioners' Capital Taxes Office. This is because some tax may be due on the money you receive. Having the statement means you can transfer the money while any possible tax owed, such as Capital Acquisitions Tax (CAT), is being checked out.

Dormant accounts

A dormant bank account is one that hasn't been used for a very long time. It may even have been forgotten about. If you think the deceased person may have had a dormant bank account, you should contact the financial institution at which the account was held. If that financial institution no longer exists and you want to find out where to make your enquiry or claim, you should contact the Banking and Payments Federation of Ireland (BPFI).

Credit Union and An Post accounts

If the person who died has money in a Credit Union or An Post account, they may have filled in a form to name (nominate) a person to receive the money held in the account after their death.

- **Credit Union account**

If the amount is under €23,000 it will go to the person or persons nominated on the form. Any amount above €23,000 will become part of the deceased's estate and will be distributed by the executor of the will, or the administrator.

- **Post office savings**

If the amount held is under €10,000 it will go to the person or persons nominated on the form. Any amount above €10,000 will become part of the deceased's estate and will be distributed by the executor of the will, or the administrator, if there is no will.

Insurance policies

If an insurance policy names you as the beneficiary, then you may claim it directly from the insurance company. You need a death certificate. If there is no named beneficiary, then any money to be paid from the insurance policy (the proceeds) form part of the overall estate of the deceased and are distributed with the other assets.

Occupational (work based) and personal pensions

The rules governing occupational and personal pensions vary. If the deceased was a member of a pension scheme, you should contact the employer or former employer or the scheme administrators to find out if there is a pension for the spouse and/or children.

Self-employed people may have pension arrangements which involve some of the investments becoming part of the deceased's estate.

Divorced people may have access to some part of the pension scheme depending on whether or not a pension adjustment order was made at the time of the divorce.

The Pensions Authority have a series of leaflets on pension matters for scheme members. Go to www.pensionsauthority.ie for more information.

Bills and loans

Bills

You need to make sure that all your essential ongoing bills are changed into your name (if not already so) and any direct debits cancelled. A phone call is all that is needed to change the name on electricity, gas and telephone accounts.

Loans

If you have a mortgage or other loan that was in joint names, you will need to inform the lender of the death.

With personal loans, you only have to pay debts that you yourself have signed for. If you are having difficulty making the payments, you should let the company know what has happened and ask for time to work out what you can actually afford, given your changed circumstances.

If you are asked to take over the payments on a loan in the sole name of the deceased, you are not legally obliged to do so, as this should be paid out of the estate.

Help with money matters

If you are experiencing financial difficulties following a bereavement, it is important to deal with these at an early stage. Ignoring the problem will only make things worse. You can get advice from your local Money Advice and Budgeting Service (MABS) about how to deal with debt and manage your money. Each MABS is a free, confidential, independent service staffed by trained money advisers. Contact details are available in your local telephone directory or on their website www.mabs.ie. MABS also has a helpline open Monday to Friday from 9am to 8pm. The number is 0761 07 2000.

Free accountancy advice is available through Chartered Accountants Voluntary Advice (CAVA). Details from your local Citizens Information Centre.

Social welfare payments

It is important to notify the Department of Social Protection soon after the death of a loved one so that they can:

- Advise you on any payments you may be able to apply for, following your bereavement.
- Review any payments that were being made to the person who died.

Review any payments made for the person who died, as a dependant.

Review any benefits paid to look after the person who died (Carer's Allowance, Carer's Benefit).

Notifying the Department does not mean any payments will be stopped immediately. In many cases, the spouse, civil partner, cohabitant, parent or carer may continue to receive a payment for six weeks following the death (see below).

If you are claiming grants or benefits you will need to provide a copy of the death certificate (or newspaper death notice). You may also need to provide other documents, depending on what you are applying for. For example, a birth certificate, marriage or civil partnership certificate (to prove your relationship to the deceased), receipts (if claiming for funeral expenses) or PPS number (the deceased's and/or your own).

Six-week payments

Some social welfare payments can continue to be paid for 6 weeks after someone dies.

When a spouse/partner dies

If your spouse, civil partner or cohabitant was getting a social welfare payment before they died, you may get 6 weeks of this payment after their death.

This will be paid at the same rate as your late spouse, civil partner or cohabitant was getting. You may get the 6-week payment if your spouse, civil partner or cohabitant was getting one of the following payments and it included a payment (Increase for a Qualified Adult) for you:

- State Pension (Transition)
- State Pension (Non-Contributory) or State Pension (Contributory)
- Pre-Retirement Allowance
- Jobseeker's Benefit or Jobseeker's Allowance
- Supplementary Welfare Allowance
- Illness Benefit
- Disability Allowance
- Invalidity Pension
- Blind Pension
- Farm Assist
- Injury Benefit or Incapacity Supplement.

If you are getting any of the payments listed above and your deceased spouse, civil partner or cohabitant was also getting one of the payments listed above in his or her own right, you may also continue to get your spouse's, civil partner's or cohabitant's payment for 6 weeks after their death, plus your own payment.

When a child dependent dies

If your child dies, payment of an Increase for a Qualified Child on your social welfare payment will usually continue for 6 weeks, if the child was included in your payment. You should notify the Child Benefit Section of the Department of Social Protection about the death of the child.

When a person being cared for dies

Payment of Carer's Benefit or Carer's Allowance (full or half-rate) continues to be made for six weeks after the death of the person you were caring for.

If you are getting Carer's Benefit or Carer's Allowance (full or half-rate) on behalf of a spouse, civil partner or cohabitant and that person dies, you can continue to get the carer's payment plus any of the payments listed above (if in payment to that person) for 6 weeks after the date of death.

If you are getting one of the other payments listed above and your spouse, civil partner or cohabitant was getting a carer's payment for you, you will continue to get your payments plus the Carer's Benefit or Carer's Allowance (full or half-rate) for 6 weeks after the date of death.

If you are getting a carer's payment on behalf of someone who is not a spouse, civil partner or cohabitant and that person dies, you will continue to get the Carer's Benefit or Carer's Allowance (full or half-rate) payments only for 6 weeks after the date of death.

In all cases you must inform the Department of Social Protection of the death.

How do I claim the six-week payment?

To apply for a payment after death, you should contact the appropriate section within the Department of Social Protection, as soon as possible following the death.

The section you need to contact will depend on the type of payment the deceased received. For example, if the person who died was getting a State Pension, you need to get in touch with the Pension Section of the Department, etc.). Staff in your local social welfare office can advise if you are not sure which section to contact.

You will need to send the death certificate (if available) or a death notice from a newspaper with your application. You must also send back the payment book(s) or cheque(s), if you have any. Do not cash existing cheques or vouchers from the payment book. A cheque will be sent for the amount of the 6 weeks payment. Keep your own record of the pension claim/reference number for future reference.

Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension

There are two types of pension payment that a husband, wife or civil partner of a deceased person can claim:

- A Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension
- A Widow's, Widower's or Surviving Civil Partner's (Non-Contributory) Pension

These are not old age pensions, where you have to be 66 years old to claim.

These are for people of **working age** who have lost a husband, wife or civil partner.

Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension is a weekly payment to the husband, wife or civil partner of a person who died.

This payment was formerly called the Widow's/Widower's (Contributory) Pension.

To qualify for this type of pension either you or your deceased spouse or civil partner must have paid enough social insurance contributions (PRSI).

To qualify you must be a widow, widower or surviving civil partner and you must not be cohabiting with another person.

If you are divorced and you would have been entitled to a Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension had you remained married, you keep your entitlement to the Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension.

If your civil partnership has been dissolved and you would have been entitled to a Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension had you remained in the civil partnership, you keep your entitlement to the Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension.

The pension is payable regardless of other income.

Widow's, Widower's or Surviving Civil Partner's (Non-Contributory) Pension

A Widow's, Widower's or Surviving Civil Partner's (Non-Contributory) Pension is a means-tested payment for people who have not made enough PRSI contributions to qualify for a contributory widow's, widower's or surviving civil partner's pension (see above). The non-contributory pension is payable to a widow, widower or surviving civil partner. This payment was formerly called the Widow's/Widower's (Non-Contributory) Pension.

It is a payment for widows, widowers or surviving civil partners who **do not have dependent children**. If you have dependent children, you should apply for the One-Parent Family Payment.

You transfer to State Pension (Non-Contributory) when you reach 66 years of age. This pension is taxable but you are unlikely to pay tax if it is your only income.

Q. How do I apply for a Widow/Widower/Surviving Civil Partner's pension?

- A. Application forms are available by phoning LoCall: 1890 500000 or you can get one at your social welfare office, local post office or Citizens Information Centre. They are also available on the internet at www.welfare.ie. You should send it to the address shown on the form, as soon as possible after the death. If you don't have the necessary certificates, you can forward them later with a covering letter.

Q. Does other income or earnings affect a Widow/Widower/Surviving Civil Partner's pension?

- A. Widow/Widower's/Surviving Civil Partner's (Contributory) pension is not affected by income from any other source. The Widow/Widower/Surviving Civil Partner's (Non-Contributory) pension and One-parent Family payment are means-tested payments. Therefore, any other income you may have e.g. earnings, savings etc. can affect the rate of payment.

Q. Is the Widow/Widower/Surviving Civil Partner's pension taxable?

- A. All social welfare pensions are taxable. However, if your income is below a certain limit you will be exempt from tax.

Q. Are Widow/Widower/Surviving Civil Partner pension recipients entitled to the free schemes?

- A. There are other social welfare benefits and payments which you may be able to claim, depending on your circumstances. For example, the Supplementary Welfare Allowance Scheme, the Living Alone Increase, the Household Benefits Package, the Fuel Allowance, Free Travel Pass and Treatment Benefit.

The Supplementary Welfare Allowance Scheme includes a weekly allowance for people who have little or no income, as well as an Exceptional Needs Payment for people who can't afford essential, once off, exceptional expenditure, such as funeral costs.

The Living Alone Increase is a weekly payment for people receiving certain social welfare payments who are living alone.

The Household Benefits Package is a package of allowances to help with the costs of running your household.

The Fuel Allowance is a payment to help with the cost of heating your home during the winter months. It is paid to people who are dependent on long term social welfare and who are unable to provide for their own heating needs.

The Free Travel Pass allows the holder to travel free on public transport and some private transport services in Ireland.

Treatment Benefit includes Dental Benefit, Optical Benefit and hearing aids. Entitlement is based on PRSI contributions. If you are dependent on a spouse or civil partner who dies when over the age of 60 and eligible for Treatment Benefit, you will continue to be eligible while you remain widowed or a surviving civil partner.

The will and legal matters

When a person dies anything they own, such as money, property or belongings (their 'estate') has to be dealt with.

- If the person has made a will, then the will says where the estate will go.
- If the person hasn't made a will they are described as 'intestate' and the law decides how the estate will be divided.

Who deals with the estate?

When a person dies, his/her property first passes to his/her personal representative. The personal representative is either:

An executor or executors - This is a person or people appointed by the deceased person in his/her will.

An administrator(s) - this is usually the next of kin or a lawyer. An administrator is appointed where there is no will, or where no executor is nominated in the will or where the executor has died before the person who made the will or is unwilling or unable to act as executor.

The duties of the executor and administrator are broadly the same.

If a next of kin applies to be the administrator, priority is given in the following order:

- The spouse
- Child
- Parent
- Brother or sister
- More distant relative

If there is doubt about who is entitled to be the administrator, the issue will be decided by the probate register. Usually, an administrator is required to give an administration bond to the Probate Office - this is a sort of guarantee that you will carry out your duties properly.

What is taking out probate?

Taking out probate means having the Probate Office certify that the will is valid and that all legal, financial and tax matters are in order so that the executor or administrator can be allowed to get on with the job of distributing the estate. The Probate Office will need a copy of the death certificate in order to start the process.

Will I need a solicitor?

The personal representative has the duty to distribute the deceased's money and property in accordance with the law - the will, if there is one, or the laws of intestacy if there is no will. Usually a solicitor will be appointed to do the job. He/she will be paid out of the estate. If you are considering a personal application, more information is available from your local Citizen's Information Centre or the Probate Office. A personal application is where an individual personal representative (rather than a solicitor) gets permission from the Probate Office to deal with the estate.

Free Legal Advice Centres (FLAC) runs a network of part-time, free, legal advice clinics throughout the country and a telephone information and referral line. The helpline number is LoCall: 1890 350 250. Details of clinics are available through your local Citizens Information Centre.

Duties of executor/administrator

If you are the executor/administrator of the deceased person's estate:

You have power to:

- Deal with the estate (for example, to sell it to pay debts or distribute amongst beneficiaries).
- Represent the deceased in legal actions and to settle legal actions against the deceased's estate.

You must:

- Gather together and protect all the deceased's assets (money, shares, property, etc.) and find out their combined value.
- Preserve (look after) the assets of the deceased until they are distributed and to protect the assets from devaluation. For example, you should make sure that all assets required to be insured are insured for their market value.
- Call in any outstanding funds due (money owing to the deceased).
- Pay any debts or taxes owed.
- Pay the funeral expenses.
- Make sure that the spouse and children know about their legal right share. (See page 41).
- Make sure the entitled beneficiaries or next of kin get what they are entitled to, and that ownership of property is passed on correctly.
- Distribute the assets as soon as possible after the death (within a year if possible). You may be sued by the beneficiaries if you do not distribute the estate within a year. This may not be possible if there are legal issues to be decided.

Distributing the estate

Paying debts and bills

If the deceased person had any debts or outstanding bills, these must be paid out of the estate before anything else.

If the deceased dies in debt

If there is not enough money in the estate to pay all outstanding bills or debts, payments from the estate are prioritised in the following order:

- Payments relating to the funeral, administration of the estate and the will.
- Debts that have security (such as housing loans).
- Rates and taxes due, wages and salary for work done for the deceased within four months of death and sums payable by the estate in respect of contributions payable by the deceased in the twelve months prior to death under social welfare legislation (his/her own PRSI contributions as well as PRSI contributions for employees).
- Unsecured debts (for example, personal loans).
- All other creditors.

Some debts may be covered by loan protection insurance in the event of death (for example, credit union loans).

Where the deceased dies in debt, people who are owed money (creditors) can only bring a claim against the estate of the deceased. This means they can get the money they are owed from the person who died, not from the family. Even if there is not enough money in the estate to meet all the debts, the relatives of the deceased are not personally responsible or liable for the deceased's debts, unless they had guaranteed them.

The Legal Right Share

Spouses/civil partners

Even if the will does not leave anything to a spouse / civil partner, the spouse/civil partner has a right to what is called a “legal right share” of the deceased’s estate, as long as the spouse/civil partner has never given up (renounced) his/her rights and is not “unworthy to succeed”. A church annulment has no legal status and so does not change the status of a spouse. Only divorce does this. If there are no children, the spouse/civil partner is entitled to one-half of the estate.

- If there are children, the spouse/civil partner is entitled to one-third of the estate. The children are not necessarily entitled to the rest.

If you find that your spouse/civil partner has made a will that does not recognise your legal right share, you may still claim your right. You do not have to go to court; the executor or administrator is obliged to grant you your share.

Rights of cohabiting couples

Cohabiting couples have no automatic right to inherit each other’s estates but may be able to apply to court for redress when one of them dies. Cohabiting couples may, of course, make wills in favour of each other, but if one of them is still legally married, their spouse or civil partner is still entitled to their legal right share (see above). If a partner in an annulled marriage later “remarries” or enters into a civil partnership, this is not a legal marriage or civil partnership.

Rights of a child

Unlike a spouse, children have no absolute right to inherit their parent’s estate if the parent has not included them in their will. However, if a child considers that he/she has not been adequately provided for, he/she may make an application to court. The child need not be a minor (under 18) or be dependent in order to use this procedure. The court has to decide if the parent has “failed in his moral duty to make proper provision for the child in accordance with his means”. Each case is decided on its merits and the court looks at the situation from the point of view of a “prudent and just” parent. Anyone considering challenging a will on these grounds should get legal opinion before applying to the court. Children born within or outside marriage have the same rights.

If you receive an inheritance you may have to pay tax on it, unless the person who died was your spouse or civil partner. The tax on gifts or inheritances is called Capital Acquisitions Tax.

Where there is no will - Intestacy

If a person dies without having made a will or if the will is invalid for whatever reason, that person is said to have died “intestate”. If there is a valid will, but part of it is invalid, then the invalid part is dealt with using the legal rules for intestacy. The rules for how assets are divided when there is no will are set out below.

If the deceased is survived by:

Spouse but no children - spouse gets entire estate.

Spouse and children - spouse gets two-thirds, one-third is divided equally between children (if a child has already died his/her children take a share).

Parents, no spouse or children - divided equally or entirely to one parent if only one survives.

Children, no spouse - divided equally between children (as above).

Brothers and sisters only - shared equally, the children of a deceased brother or sisters take the share.

Nieces and nephews only - divided equally between those surviving.

Other relatives - divided equally between nearest equal relationship.

No relatives - the State.

What happens to the family home after the death of a spouse?

If the two of you jointly own the house, then you automatically become the owner. If your spouse was the legal owner then you may require that it be given to you as part of your share of your spouse's estate. If the family home is worth more than this share, then you may have to pay the difference. However, you may apply to the court to have the house given to you either without paying the difference or by paying an amount that the court thinks reasonable. The court may make such an order if it thinks that hardship would otherwise be caused either to you or to a dependent child.

Transferring land

Land is transferred by way of an “Assent” to the beneficiary under the will or under the Succession Act. An assent must be in writing. If you are the beneficiary, it is not absolutely necessary for you to vest the property in yourself by way of an assent (as

technically the property already vests in you). However, it is recommended practice that you do so in order to facilitate any future selling of that land.

The executor/administrator is not required to deduct and pay the Capital Acquisitions Tax (CAT) due from the beneficiaries before passing on the bequest. When probate has been granted, the Probate Office sends a copy of the Revenue Affidavit to the Revenue Commissioners. The Revenue Commissioners will then issue a Form IT38 to each beneficiary who it understands may have a requirement to pay and file a CAT return. The obligation to pay and file a return rests with the beneficiary.

Frequently asked questions

After the death

Q. Who should I inform of the death?

- A. The next of kin (close family members), GP and the Registrar of Births, Deaths and Marriages should be informed immediately. When a suicide happens the Gardaí and the Coroner may need to be informed. You should also contact a funeral director.

At a later stage you will need to inform the Department of Social Protection, if the person who died was getting a social welfare payment, or was a dependent on another person's payment. You should also inform any other relevant people such as insurance companies, banks, employer and landlord. See the checklist on page 25 for suggestions.

Q. What is the role of the funeral director/undertaker?

- A. They will deal with all arrangements regarding the burial or cremation, including organising the burial plot, newspaper notices and religious services, if you wish. They can also organise transport of the deceased and mourners, help with arrangements for the church service and other arrangements such as ordering flowers. They will also help you to get any documentation you need both before and after the funeral.

Q. What is the role of the Coroner?

- A. When a death is sudden or unexplained (not from illness) and a doctor cannot give the cause of death, the Coroner has to investigate the cause of death and the circumstances of the death. To help with this the Coroner might ask for a post mortem or an inquest.

Q. What is a post mortem?

- A. A post mortem (sometimes called an autopsy) is an examination carried out by a pathologist to establish the medical cause of death.

Q. What is an inquest?

- A. An inquest is where the Coroner (or sometimes a jury) can hear all the evidence about a death so that the details of the death, including its cause, can be established.

Q. Gardaí came to my house to ask questions. Does this mean the death was suspicious?

- A. No. The Gardaí ask questions so that they can get information to send to the Coroner. It is normal when a death is sudden or unexplained.

Q. What is registering the death?

- A. Registering the death means officially recording that the death has happened, and the time and place of death. The cause of death must also be recorded. After a death by suicide the death cannot be registered until the cause of death has been recorded by the Coroner.

Q. Why do I need a death certificate?

- A. A death certificate is needed when sorting out legal and money matters, such as the will, insurance policies, bank accounts etc. See section 4 for more about sorting out legal and money matters.

Q. Where can I get a copy of the death certificate?

- A. You can get copies of the death certificate from the Registrar of Births, Marriages and Deaths, in person or online. An application form for a copy of a death certificate is available from the General Register Office or apply online at www.certificates.ie.

Financial

Q. Is there any help available towards the funeral costs?

- A. The Widowed or Surviving Civil Partner Grant is a once-off payment to widows/ widowers/surviving civil partners with dependent children. This payment was formerly called the Widowed Parent Grant.

An Exceptional Needs Payment may be given towards funeral costs if you are on a low income.

Q. The person who died supported me financially. How can I manage while waiting for the estate or will to be sorted out?

- A. In some cases you may be able to receive some money from the deceased person's accounts – if you had a joint account, or if they had a credit union or post office account that named you as the beneficiary in the event of their death. If the person's account was in their name only you usually need to wait until the estate has been divided. If the amount of money is small, the financial institution may release it in certain circumstances.

Some insurance policies or pensions provide an amount of money to be given to help with immediate expenses. There are also one-off social welfare payments to help bereaved people. Your local Social Welfare Office can let you know what you may be able to claim.

If you are struggling to cope, contact the Money Advice and Budgeting Service (MABS). See page 30 for contact details.

Q. Can I wait until the estate is sorted out before I cancel any social welfare payments?

- A. No. You should tell the Department of Social Protection as soon as possible that your loved one has died and return the deceased person's pension book or cheque to the relevant section of the Department. You shouldn't cash any cheques or vouchers from a payment book. Normally if the deceased person was receiving social welfare benefits or you were receiving benefits for them, you can apply to carry on getting these for 6 weeks if you were the dependant, the spouse or civil partner or the carer of the deceased.

Q. I need to sort out social welfare benefits but I haven't got the death certificate yet. What can I do?

- A. Show them the death notice from the newspapers. The Department of Social Protection will use this instead of a death certificate.

Q. The person who died had a medical card – what should I do with it?

- A. You should return it to your Local Community Health Office. If you are the spouse of a medical card holder, you may be entitled to a card in your own right. For further information, LoCall: 1890 252 919.

Q. If there is money in a joint account can I draw out this money?

- A. Yes, if the money is held jointly between you and your spouse. If the account is held jointly with a person other than your spouse (e.g. the deceased is your brother or sister, parent or partner), talk to your bank or building society. They may need a statement from the Revenue Commissioners.

If money in the bank/building society is in the deceased's name only, then you usually cannot get access to it until probate is taken out, unless the amount is very small.

Q. Is there a pension for Widows /Widowers/ Surviving Civil Partners?

- A. Yes. There are 2 kinds: Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension and the Widow's, Widower's or Surviving Civil Partner's (Non-Contributory) Pension. These are weekly payments to the husband, wife or civil partner of a deceased person. Which pension you qualify for depends on the amount of PRSI you and your spouse have paid. See pages 34-35 for more details.

Q. Am I entitled to any other payments or benefits?

- A. You may be entitled to other social welfare benefits and payments, depending on your circumstances. For example, the Household Benefits Package, Free Travel Pass or Treatment Benefit. Contact your local social welfare office or Citizens Information Centre for more advice.

Legal

Q. Who deals with the will?

- A. Generally, the person named in a will as executor has the job of dealing with the terms of the will and taking out probate. There may be more than one executor. Often a solicitor is employed to do the job. If no executor has been appointed, or if the named executor does not wish to act, an administrator may be appointed.

Q. What is the procedure if the deceased didn't make a will?

- A. If there is no will an administrator may be appointed, usually the next of kin or a lawyer. There are rules for how the estate will be divided up if there is no will. See page 43.

Q. How do I take out a grant of probate?

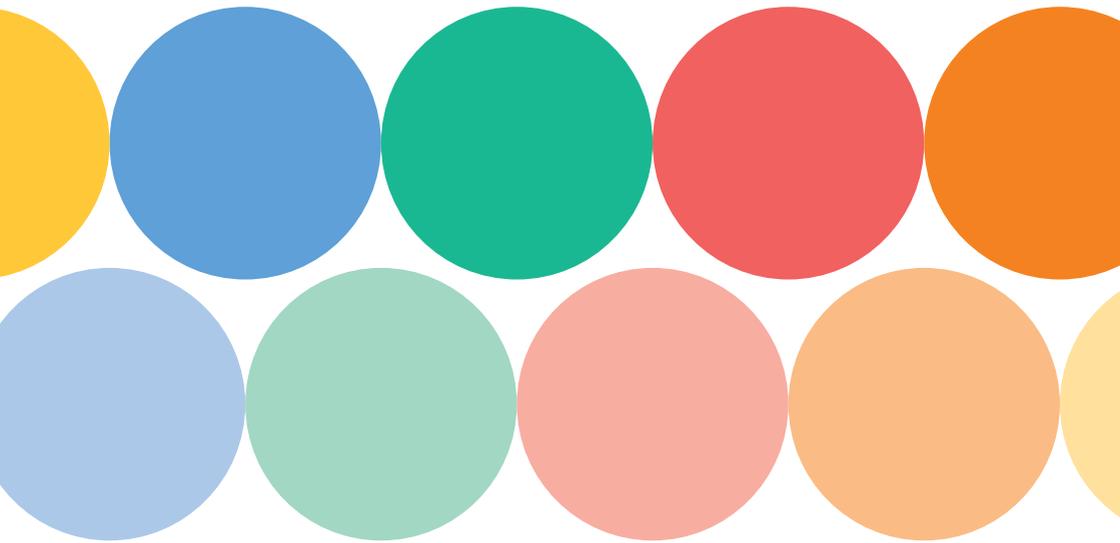
- A. If you are the executor or have been appointed an administrator and the estate is not complicated, you can make a personal application to the Personal Application Section in the Probate Office. If the estate is complex, you should consult a solicitor. See page 38 for more information.

Q. What happens to the family home after the death of a spouse?

- A. If the two of you jointly own the house, then you automatically become the owner. If your spouse was the legal owner then you may be entitled to inherit it as part of the estate. See page 43 for more details.

Section 5

Getting help for you and your family



Support and advice

You are not alone

You are not alone when coping with the loss of a loved one. Friends, family and the wider community may offer you support. There are also many support services and groups that understand what you are going through and can help you to cope.

Many people experiencing loss through death find comfort and additional support by sharing their story with others. Often, people feel better if they can talk to somebody outside the immediate family, while others may benefit from formal counselling or peer support.

Bereavement services and local support

Throughout Ireland there are a number of support services available to individuals and families who are bereaved. These include bereavement support groups, voluntary listening and support services, local parish support groups, child and adolescence support programmes/groups, and professional counselling services. If you are unsure of what type of support might best suit you or your family, discuss your needs with your local doctor who will be able to advise you.

Medical and social work support

Mental health services provided by the HSE are organised by geographical area. Services offered include adult mental health care for people aged 18 over; child and adolescent mental health services, psychiatry of older age and social work services. Referral to these free services is through your local GP or family doctor. These services may be of use to you if you are experiencing significant difficulty in dealing with the loss of your loved one.

Support for carers of the bereaved

If you are in a supporting role it is important to be extremely sensitive to the needs of the bereaved person. Your local bereavement support service can advise you. It is also important to know that if you are in a supportive role, there may come a time when you find that you can no longer offer the level or standard of support that is needed. If this happens the bereaved person may need the support of a bereavement service, GP, family doctor or professional counsellor.

How to get support

Many organisations that provide assistance to the bereaved are free and have branches nationwide. Services include specialist support services for children and young people, counselling, support groups, helplines and practical help.

You can also contact your GP or family doctor if you or a loved one is experiencing physical symptoms of grief or is finding it hard to cope.

To download a copy of *You are not alone*, go to www.healthpromotion.ie

