

EXPLANATORY MEMORANDUM TO
THE DERBYSHIRE (CORONERS' DISTRICTS) (AMENDMENT) ORDER 2005

2005 No. 3489

1. This explanatory memorandum has been prepared by the Department for Constitutional Affairs and is laid before the House of Commons by Command of Her Majesty.

2. Description

2.1 This instrument seeks to amalgamate the two coroner's districts wholly in the county of Derbyshire (High Peak and Scarsdale) into 1 district to be named North Derbyshire. Derby and South Derbyshire, the coroner's district which is partly within Derbyshire and partly within the County of Derby is not affected by this instrument.

3. Matters of special interest to the Joint Committee on Statutory Instruments or the Select Committee on Statutory Instruments

3.1 None.

4. Legislative Background

4.1 Under section 4(2) of the Coroners Act 1988 local authorities have powers to submit draft orders for alterations to coroners' districts within England and Wales, subject to compliance with the requirements of the Coroners (Orders as to Districts) Rules 1927 as to advertising their intentions. The coroners' districts within Derbyshire were established in 1974 (SI 1974 No 578) at the time of local government changes made under the Local Government Act 1972; there was a subsequent amalgamation in 1979 (SI 1979 No 535) which created Derby and South Derbyshire District. The creation of the County of Derby in 1997 required a further Instrument (SI 1997 No 496) but the boundaries between the 3 coroners' districts were unaffected. The Secretary of State has power under section 4(2) of the 1988 Act to make such changes to the draft order submitted by the Council as he thinks fit and has done so in making this order.

5. Extent

5.1 This instrument applies to England and Wales.

5.2 It affects only the County of Derbyshire.

6. European Convention on Human Rights

6.1 There are no Human Right issues involved.

7. Policy background

7.1 The Home Office was responsible for coroner law and policy until the transfer of these responsibilities to the Department for Constitutional Affairs on 1 June 2005. It was a long established Home Office policy that coroners' districts should be amalgamated in order to create larger part-time or full-time districts. This was both to enable the coroners' service to benefit from any economies of scale and to give the coroner concerned greater experience in dealing with sudden deaths. The Department for Constitutional Affairs intends to continue this policy. Many of the districts within this Order were very small. For example, High Peak District had a case load of about 250 reported deaths a year, whereas a reasonably sized full-time district has about 3,000 reported deaths. The new district of North Derbyshire is expected to have about 2,000 reported deaths a year.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

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