

**EXPLANATORY MEMORANDUM TO**  
**THE CORONERS AND JUSTICE ACT 2009 (ALTERATION OF CORONER AREAS)**  
**(No. 2) ORDER 2015**

**2015 No. 1491**

1. This explanatory memorandum has been prepared by the Ministry of Justice and is laid before Parliament by Command of Her Majesty.
2. **Purpose of the instrument**
  - 2.1 The Coroners and Justice Act 2009 (Alteration of Coroner Areas) (No. 2) Order 2015 amalgamates the North and East Cambridgeshire, South and East Cambridgeshire and Peterborough coroner areas to create a new coroner area to be known as “Cambridgeshire and Peterborough”.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
  - 3.1 None.
4. **Legislative Context**
  - 4.1 Paragraph 2 of Schedule 2 to the Coroners and Justice Act 2009 (the “2009 Act”) allows the Lord Chancellor, by order, to alter coroner areas. This is the fourth Order to be made under this power. Before making such an order, the Lord Chancellor must consult whichever local authorities he thinks appropriate and any other person the Lord Chancellor thinks appropriate.
  - 4.2 The possibility for an amalgamation of these coroner areas arose following the retirement of Senior Coroners in both the Cambridgeshire areas in April 2015. The current Senior Coroner for Peterborough, will become the Senior Coroner for the new coroner area of Cambridgeshire and Peterborough.
5. **Territorial Extent and Application**
  - 5.1 This instrument applies to England and Wales.
6. **European Convention on Human Rights**
  - 6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

- 7.1 These amalgamations are a result of the long-standing Ministry of Justice policy to support and encourage the merger of smaller or part-time coroner districts to create more fully-loaded caseloads for full-time coroners. Larger areas will mean economies of scale for local authorities through, for example, sharing of staff and other resources while full-time coroners will be able to focus entirely on their coronial duties developing their skills and experiences more fully. This should also help bring about greater consistency of practice between coroner areas. The creation of larger coroner areas should not mean reduced access to local services and we would not expect bereaved people to have to travel long distances to attend inquest hearings.
- 7.2 The amalgamation of the Cambridgeshire and Peterborough coroner areas fully supports this policy, creating a more fully loaded coroner area under a full-time Senior Coroner. The coroner areas of North and East Cambridgeshire, South and West Cambridgeshire and Peterborough coroner areas currently have approximately 400, 1,920, and 1,080 deaths respectively reported to the coroner each year. The merged area will have around 3,400 deaths reported each year so is in line with the Chief Coroner's view that each area should have a caseload of around 3,000 reported deaths a year.

## **8. Consultation outcome**

- 8.1 In accordance with paragraph 2 of Schedule 2 to the 2009 Act, the Lord Chancellor carried out a targeted consultation on the proposed merger. The business case was sent directly to the individuals and organisations identified as being potentially affected or interested in the proposed changes and included the Chief Coroner, relevant local authorities, coroners, funeral directors, local hospitals, prisons, police, MPs and local councillors. The consultation ran for four weeks from 20 January to the 16 February 2015.
- 8.2 The consultation received 25 responses from the 59 individuals and organisations approached. The majority, 22 responses, agreed with the proposed merger of the three areas while two responses did not and one response did not wish to comment. Approximately half of those who responded in favour of the merger, including the Chief Coroner, did however raise some concerns about the details of the proposal. The Chief Coroner suggested that the local authorities might wish to consider an open competition for the post of Senior Coroner rather than appoint the current Peterborough Senior Coroner (as set out in the business case) as the merger would see a considerable increase in the Peterborough Senior Coroner's workload. Nevertheless, he accepted that this was ultimately a decision for the local authority. Other concerns raised included the suggestion that there insufficient coronial and support staff resource were proposed for the new area; that the centralisation of coroner offices in one office in Huntingdon would leave the Peterborough area unsupported; and the existing overloaded IT systems would not cope with the increased case load.
- 8.3 While recognising the potential benefits of an open competition, both local authorities wished to continue with their proposal to appoint the Senior Coroner for Peterborough as

the Senior Coroner for the merged areas. They are confident that the Senior Coroner will be able to cope with the increased case load and will continue to demonstrate the leadership and ability he has in his existing role.

- 8.4 Peterborough City Council and Cambridgeshire County Council recognised that they need to increase the level of coronial and staff support to support the Senior Coroner. The assistant coroners have agreed to increase their working hours and both local authorities have committed to keeping coronial resource under review, including considering whether an Area Coroner should be appointed in the longer term. Peterborough City Council will increase funding so that interim staff within the coroner's support team will be replaced by permanent officers and they will review the management hierarchy to make sure this is clear and suitable. The local authorities are confident that the location of the coroner's officers in Huntingdon will not impact on service delivery.
- 8.5 The proposed merger will also allow the local authorities to combine their resources and improve the IT which supports case management. They plan to invest in a single case management system which will enable better handling of a large volume of cases by allowing the new options such as diary management of workloads.

## **9. Guidance**

- 9.1 In agreement with the Lord Chancellor, the Chief Coroner has issued guidance on the merger of coroner areas.

## **10. Impact**

- 10.1 There is no impact on business, charities or voluntary bodies and there is expected to be minimal impact on the public sector. As such, an impact assessment has not been prepared for this instrument.
- 10.2 Most of the changes will focus on the centralisation of the administrative support services. External stakeholders such as bereaved people; hospital services; and the police are not expected to notice a difference to the existing interim arrangements.

## **11. Regulating small business**

- 11.1 This legislation does not apply to small business.

## **12. Monitoring & review**

- 12.1 The Department will carry out a review of the impact of this instrument 12 months after it has come into force.

### **13. Contact**

- 13.1 Louise Langston at the Ministry of Justice can answer any queries regarding the instrument. Tel: 0203 334 4201 or email: [coroners@justice.gsi.gov.uk](mailto:coroners@justice.gsi.gov.uk)