EXPLANATORY MEMORANDUM TO

THE BLACK COUNTRY (CORONER'S DISTRICT) ORDER 2011

2011 No. 2861

1. This explanatory memorandum has been prepared by the Ministry of Justice and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Purpose of the instrument

2.1 This instrument seeks to amalgamate the two coroners' districts in the county of West Midlands (Wolverhampton and Black Country) into one district to be named Black Country.

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

3.1 None.

4. Legislative Context

4.1 The coroner for Wolverhampton retired from office on 30 September 2011. As a result of this, Wolverhampton Metropolitan Borough Council proposed that the coroner's district of Wolverhampton be amalgamated with the coroner's district of Black Country (which comprises of the Metropolitan Borough Councils of Dudley, Sandwell and Walsall).

4.2 The amalgamation of coroners' districts that exist within metropolitan borough councils is made by Order, by the Secretary of State for Justice. However, before the Secretary of State can make an Order he is required to consult the relevant councils and coroners who may be affected by the order, as well as any other persons as he thinks appropriate.

5. Territorial Extent and Application

5.1 This instrument applies to England and Wales.

5.2 It affects the county of West Midlands only.

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 This Order amalgamates the Wolverhampton and Black Country coroners' districts. This amalgamation is in line with the long-standing Ministry of Justice policy to support and encourage the amalgamation of smaller or part-time coroner districts to create more fully-loaded caseloads for full-time coroners, wherever possible. This is because the amalgamation of smaller districts has economic benefits for local authorities and can promote consistency in coronial service over a wider area.

7.2 The separate coroners' districts of Wolverhampton and Black Country have approximately 1,300 and 3,200 deaths reported to the coroner respectively. The amalgamated Black Country district is therefore expected to have approximately 4,500 deaths reported to the coroner per year which will place it amongst the busiest caseloads in England and Wales.

8. Consultation outcome

8.1 The Secretary of State is required to consult the councils and coroners who may be affected by a proposed amalgamation, as well as any other appropriate persons, before making an Order. Accordingly, officials wrote on behalf of the Secretary of State to the relevant local authorities, coroners, funeral directors, local hospitals, faith groups and MPs notifying them of the proposal to amalgamate Wolverhampton and Black Country coroners' districts and inviting objections over a two week period, commencing 10 October 2011. No objections were received.

8.2 As the requirement is to conduct a targeted consultation, and Wolverhampton Metropolitan Borough Council had already consulted the relevant metropolitan borough councils and coroners, it was agreed that a formal twelve week consultation was not required.

9. Guidance

9.1 None required.

10. Impact

10.1 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring and review

12.1 There is no need to monitor or review this instrument.

13. Contact

13.1 Judith Bernstein at the Ministry of Justice Tel: 020 3334 6407 or email: judith.bernstein@justice.gsi.gov.uk can answer any queries regarding the instrument.