EXPLANATORY MEMORANDUM TO

THE CORONERS AND JUSTICE ACT 2009 (ALTERATION OF CORONER AREAS) ORDER 2014

2014 No. 3157

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 Coroner and Justice Act 2009 (Alteration of Coroner Areas) Order 2014 amalgamates the North and West Cumbria coroner area with the South and East Cumbria coroner area to create the a new coroner area to be known as "Cumbria". This new coroner area follows the boundaries of Cumbria County Council.

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

3.1 None.

4. Legislative Context

4.1 The Senior Coroner for South East Cumbria, Ian Smith, retired on 23 October 2014. As a result of this, Cumbria County Council proposed that the South East Cumbria coroner area be amalgamated with the North West Cumbria coroner area.

4.2 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 second 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.

5. Territorial Extent and Application

5.1 This instrument applies to England.

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 amalgamation is in line with 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, wherever possible. 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 North and West Cumbria and the South and East Cumbria coroner areas supports this policy, creating a more fully loaded coroner area under a full time Senior Coroner. The coroner areas of North and West Cumbria and South and East Cumbria currently have approximately 1,250 and 990 deaths respectively reported to the coroner each year. The amalgamation is therefore in line with the Chief Coroner's view that each area should have a caseload of approximately 3,000 reported deaths a year.

8. Consultation outcome

8.1 In accordance with paragraph 2 of Schedule 2 to the 2009 Act, the Department carried out a targeted consultation on the proposed merger with 27 individuals and organisations, identified as being potentially affected or interested in the proposed merger. Accordingly officials shared the business case, which had been prepared by Cumbria County Council in support of the merger, with the relevant local authorities, coroners, funeral directors, local hospitals, faith groups and MP's. 13 responses were received which were overall in support of the merger

9. Guidance

9.1 Guidance has been issued to coroners and local authorities on Part 1 of the 2009 Act. The Chief Coroner has, in agreement with the Lord Chancellor, issued guidance on the merger of coroner areas.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies.

10.2 There is expected to be minimal impact on the public sector. As 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 arrangements with the exception of new contact information.

10.3 Cumbria County Council anticipate that the merger of these coroner areas will provide a more robust coroner service while the centralisation of the coroner offices may provide some efficiency savings.

10.4 An impact assessment has not been prepared for this instrument.

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