

EXPLANATORY MEMORANDUM TO
THE CORONERS AND JUSTICE ACT 2009 (ALTERATION OF CORONER AREAS)
ORDER 2015

2015 No. 658

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) Order 2015 amalgamates the Liverpool coroner area with the Wirral coroner area to create a new coroner area to be known as “Liverpool and Wirral”.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None.
4. **Legislative Context**
 - 4.1 The Senior Coroner for the Wirral coroner area, Christopher Johnson, retired on 31st December 2013. Since Mr Johnson’s retirement the Liverpool Senior Coroner, André Rebello, has been covering both posts. This arrangement has worked well and, as a result of this, Wirral Metropolitan Borough Council has explored with Liverpool City Council, the possibility of creating a permanently merged 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 third 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 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 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 Liverpool and Wirral coroner areas supports this policy, creating a more fully loaded coroner area under a full time Senior Coroner. The coroner areas of Liverpool and Wirral currently have approximately 2,900 and 1,600 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 the questions and documents sent directly to the 217 individuals and organisations, identified as being potentially affected or interested in the proposed merger. This included the relevant local authorities, coroners, funeral directors, local hospitals, faith groups, MPs and local councillors. The consultation lasted for six weeks from 8th December 2014 to 19th January 2015.

The consultation was on a business case for merger prepared by Wirral Metropolitan Borough Council, in liaison with Liverpool City Council. Among other matters the business case detailed the additional coronial and administrative support to be provided to the Senior Coroner to make sure the current high quality service can be sustained in the long term. 23 responses were received 22 of these were in favour and the remaining respondent did not wish to express a view on 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 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.

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