

Council – 27 February 2014

Petition – Coroner Service

1. Summary

- 1.1. This report is in response to the petition *“We the undersigned, being residents of Walsall, express our deep regret on the re-structuring of the coroner’s service (merging it with other Black Country authorities,) agreed to by the Cabinet, which has resulted in delays in releasing bodies for expedient and quick burials causing distress to the families of the deceased.*
- 1.2. *We ask the Council to re-visit this decision with a view that a full service is provided with a coroner or deputy coroner based permanently in Walsall to meet the needs of Walsall’s community to affect expedient and quick burials.”*
- 1.3. The petition contained in excess of 1,500 signatures. The Council’s petitions scheme provides that: “If a petition contains at least 1,500 signatures it will be debated at a meeting of the Council. This means that the issue raised in the petition will be discussed at a meeting to which all Councillors can attend and speak. The Council will endeavour to consider the petition at its next meeting although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given 5 minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of 15 minutes. The Council will decide how to respond to the petition at this meeting. They may decide to take the action that the petition requests; not to take the action requested for reasons put forward in the debate, or to ask for further information. Where the issue is one where the Cabinet are required to make the final decision the Council will decide to make recommendations to the Cabinet. The petition organiser will receive written confirmation of this decision and this will be published on our website.”
- 1.4. This report confirms that the Council is following Government guidelines by engaging with other local authorities in the Black Country to define a jurisdiction of 1 million people for the provision of a full time Coroner. The Ministry of Justice has again recently confirmed to officers that this policy is still in place and there is no intention to reduce the size of jurisdictions in any way.

2. Recommendations

That the content of the petition be noted.

3. Background Information

- 3.1. Walsall’s part-time Coroner functions were merged in 2004 to form the Black Country Coroner Service as a shared service between Walsall, Dudley and Sandwell Councils. This jurisdiction was formally enlarged in 2012 to include Wolverhampton following the retirement of the part-time Coroner of that district which assisted in bringing the jurisdiction within Ministry of Justice population guidelines.

- 3.2. The office of the Black Country Coroner now covers approximately one million people in line with Government expectations for full-time Coroner Areas to improve the standards and consistency in the delivery of the Coroner Service in England and Wales.
- 3.3. The Government continues to be committed to move to a national position of full time Coroners and therefore the population size of jurisdictions needs to be at a justifiable level. The Black Country Coroner arrangement meets this and the Ministry of Justice has recently confirmed again that this is still government policy.
- 3.4. Relatively few deaths in Walsall require a post mortem. In the calendar year 2013 there were 2,344 deaths registered of which only 228 (9.72%) required a post mortem. This figure is well below the average for England and Wales which was 19% in 2012, the last equivalent statistic published by the Ministry of Justice.
- 3.5. The Coroner is unaware of any problems that have arisen as a result of the merged Black Country Jurisdiction. He is of course aware of pressures from some families to have their deaths processed in priority to others although it is clearly not feasible to respond immediately to every single case. All cases are processed quickly and appropriately and, when delays do occur, this is because of matters of law, for example the need for a post mortem examination. The Coroner confirms that he cannot recall a single justified complaint about delay in releasing bodies since he took on the Walsall jurisdiction. The Coroner has stated that cases have to be processed in accordance with the law and that this will continue to happen.
- 3.6. In the Muslim religion, families strive to bury the deceased as soon as possible after death and this can give rise to concerns from within the Muslim community on those occasions when delays are perceived to have occurred in releasing the body for burial.
- 3.7. Statistics have been compiled for the last two calendar years with data available relating to burials in Muslim sections in Walsall cemeteries. This totalled 123 interments. For those that were referred to the Coroner and the deaths have or will be registered at Walsall Register Office, the following is presented:

	Referred to Coroner but no Post Mortem	Referred to Coroner, Post Mortem but no inquest	Referred to Coroner, Post Mortem and Inquest
2012			
Number of interments in Walsall Muslim sections = 60			
Out of the 60 interments, number referred to the Coroner	13	0	5
Released by Coroner on day of death	6	0	0
Released on working* day following death	7	0	1
Released on second working* day following death	0	0	1
Released after third working* day	0	0	3
2013	Referred to Coroner but no Post Mortem	Referred to Coroner, Post Mortem but no inquest	Referred to Coroner, Post Mortem and Inquest
Number of interments in Walsall Muslim sections = 63			
Out of the 63 interments, number referred to the Coroner	5	2	4
Released by Coroner on day of death	3	0	0
Released on working* day following death	2	0	2
Released on second working* day following death	0	2	1
Released after third working* day	0	0	1

*Working day for the Coroner's Office is Monday to Friday

From the table there were 4 occasions over the last two calendar years where bodies both dying in Walsall and subsequently buried in Muslim Sections at Walsall council cemeteries were released after the third working day. It is outside the Council's control to influence the judicial decision making process of the Coroner when investigating deaths referred to him. This includes a potential post mortem.

3.8. Having regard to the data it is difficult to conclude that the service provided by the Coroner has given rise to unreasonable delays in releasing bodies either in the numbers of cases or the number of days involved.

3.9. As noted above the Black Country Coroner service is in line with Government expectations for full-time Coroner Areas and, as such, there is no case for a Coroner or deputy Coroner to be based permanently in Walsall.

Jamie Morris
Executive Director (Neighbourhood Services)

17 February 2014