

Cabinet – 29 October 2014

Petition – Coroner Service

Portfolio: Councillor Hussain – Community, Leisure and Culture

Related portfolios: None

Service: Coroner Service

Wards: All

Key decision: No

Forward plan: No

1. Summary

At the Council meeting of 27 February 2014, Elected Members received a petition regarding the Black Country Coroner service. The petition stated:-

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.

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.

Officers have undertaken consultation with the Union of Muslim Organisations, Muslim Burials Walsall (formerly the Muslim Burials Committee) and Helping Hands as well as approaching all Elected Members. No information was submitted at this stage.

A list of eight names was subsequently submitted by an Elected Member and shared with the Coroner's office as a sample. Of these, one was registered at Wolverhampton and so was discounted. Another was the subject of an inquest but released after three days. Four were retained for two or three days and the eighth was released on day four; two days of which were the weekend.

This report provides the background to the petition and the approach taken and the outcome.

2. Recommendations

Cabinet is asked to

- 2.1 note that the consultation process has provided no information or individual examples of delays in releasing bodies by the Black Country Coroner. It has therefore not been possible to undertake any further investigation, and;
- 2.2 note that Cllr Hussain, Portfolio Holder for Community, Leisure and Culture, is arranging to meet the new Coroner at the earliest opportunity to explore options to further improve the service provided by the Coroner to the residents of the borough.

3. Report detail

- 3.1 On 27 February 2014 Council received a petition about the Black Country Coroner service stating:-

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.

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.

- 3.2 As a consequence it was decided that:-

(1) This Council notes:

- *the issues raised by the petitioners to the Coroner service*
- *that a number of families have approached Councillors in confidence with concerns from their personal experiences, which they have agreed to be included in any investigation on an anonymised basis*
- *that the current Coroner, Robin Balmain, has announced his retirement as from September 2014.*

(2) This Council resolves to:

- *instigate an investigation as to the above cases, and as to whether there were delays not required due to relevant legal requirements.*
- *invite other families across the borough who may have similar concerns to share the same with the investigation on a confidential basis.*
- *instruct that officers provide a report for Cabinet summarising these findings, and if it is the conclusion of the above investigation that there were delays not required due to relevant legal requirements, this report should further present options which may help mitigate against any future similar circumstances.*

- 3.2 In response, officers initiated consultation with relevant parties with a view to establish whether there was any evidence of delays in the release of bodies for burial by the Coroner. To avoid any impact on the local elections in May and to enable all new Councillors to be set up on the authority's e-mail system, correspondence was purposely not issued until 19 June 2014. All Elected Members were invited to respond and other consultees included the three recognised Muslim representative groups; the Union of Muslim Organisations (UMO), Muslim Burials Walsall (formerly the Muslim Burials Committee) and Walsall Helping Hand.
- 3.3 Consultees were invited to supply any evidence of specific cases since 2012 that might be of assistance with the investigation. The closing date for replies was Monday 14 July 2014.
- 3.4 No responses on the subject were received by the deadline and so it was not possible to undertake any further research into any real or perceived problems.
- 3.5 A list of eight names was subsequently provided by an Elected Member on a confidential basis and shared with the Coroner's office for comment. Of these, one was registered at Wolverhampton and so was discounted. Another was the subject of an inquest but released on day three. Four were retained for two or three days and the eighth was released on day four, two days of which were the weekend.

	Date of death	Post Mortem	Date released by Coroner	Days	Date death registered	Date of burial	Comments
1	Saturday 26/01/2013	No	Tuesday 29/01/2013	4	29/01/2013	Tuesday 29/1/2013	
2	Wednesday 30/01/2013	No	Thursday 31/01/2013	2	31/01/2013	Not known / body taken out of the country	
3	Tuesday 23/04/2013	No	Wednesday 24/04/2013	2	24/04/2013	Wednesday 24/4/2013	
4	Wednesday 24/04/2013	No	Friday 26/04/2013	3	26/04/2013*	Saturday 27/04/2013	* Registered at W-ton Registry
5	Tuesday 17/09/2013	Yes	Thursday 19/09/2013	3	28/01/2014**	Thursday 19/09/2013	**Inquest held
6	Wednesday 20/11/2013	No	Friday 22/11/2013	3	22/11/2013	Friday 22/11/2013	
7	Sunday 22/12/2013	No	Monday 23/12/2013	2	23/12/2013	Tuesday 24/12/2013	
8	Monday 29/4/2013	Yes	Wednesday 01/05/2013	3	01/05/2013	Wednesday 01/05/2013	

- 3.6 It is recognised that this issue is a matter for concern for many families in the borough and is one requiring sensitive handling. Both the Coroner and the Council's Bereavement Service are fully aware of this and manage every case accordingly. Both operate within a strict legal framework and, of necessity, operate entirely independently liaising when necessary. Having given careful consideration to the resident concerns raised in this petition and the eight cases referred to above, it is concluded that there is no evidence of undue delays in the release of bodies by the Coroner having regard to the legal framework. This

would suggest that there are in fact no current or recent problems with releasing bodies for burial in a timely manner.

- 3.7 Nevertheless, the recent appointment of a new Coroner, Mr Zafar Siddique, presents the Council with the chance to discuss the service provided by the Coroner to residents in the borough and explore opportunities to further improve this service. This would include the opportunity for improving communications with all sections of the community to facilitate better understanding of the work of the Coroner and the legal framework within which he operates. To this end, Cllr Hussain, as the relevant Portfolio Holder, has invited the Coroner to a meeting to take place at the earliest opportunity.

4. Council priorities

The Council is committed to creating safe, sustainable and inclusive communities. The outcome of this investigation provides assurance that the Coroner service is in line with government expectations for full time Coroner Areas.

5. Risk management

The data presented in the Council report relates to the office of the current Senior Coroner who retired in September 2014. Representatives of Muslim Burials Walsall have asked for an early meeting with the new Black Country Coroner after his commencement in September 2014 to maintain the on-going relationship. Such a meeting would be usual part of the day-to-day arrangements between the Coroner, Bereavement & Registration and the community.

6. Financial implications

None directly arising from this report.

7. Legal implications

None directly arising from this report.

8. Property implications

None directly arising from this report.

9. Health and wellbeing implications

None directly arising from this report.

10. Staffing implications

None directly arising from this report.

11. Equality implications

None directly arising from this report.

12. Consultation

All members of the Council were asked for their contribution together with the recognised three Muslim representative groups; namely Muslim Burials Walsall, Union of Muslim Organisations (UMO) and Walsall Helping Hand.

Background papers

1. Report to Council on 27th February 2014
2. Report to Community Services and Environment Scrutiny and Performance Panel on 14th January 2014

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20 October 2014

Councillor Hussain
Portfolio Holder



20 October 2014