

CORONERS MERGER BUSINESS CASE

November 2023



BACKGROUND

Coroners are independent judicial office holders. They are a type of specialist judge who investigates and explains certain kinds of deaths. They are qualified lawyers, many being Barristers. Some (Assistants) will combine Coroner work with other legal work.

Coroners review the provided documentation after a death and decide what level of investigation is required; in particular if they have reason to suspect that;

- The death was violent or unnatural; or
- The cause of death is unknown;
- The deceased died while in state detention

A Coroner also has a key role in the case of organ donation, which may be required at short notice and at any time of the day or night.

Local authorities are responsible for the appointment and payment of the coroner and meeting all costs of the service. This includes the cost of the provision of mortuaries, pathology services, forensic testing, and inquests.

Coroners are independent judicial post holders and are not employees of the local authority. All appointments of coroners have to be agreed with both the Chief Coroner and the Ministry of Justice, and they effectively have a veto on any arrangements that do not meet their approval. Local authorities cannot remove or dismiss coroners.

As quoted in guidance from the Chief Coroner;

“It is the Chief Coroner’s view that the number of coroner areas should be reduced in order to create sensibly sized coroner areas, taking into account the numbers of reported deaths, geographical size and types of coroner work in the area”

Larger coronial areas are more effective, allowing a senior coroner to manage work effectively, giving support staff the opportunity to work as part of a wider team providing enhanced support, resilience and a consistent service for relatives.

The Policy of the Chief Coroner and Ministry of Justice is to reduce the number of Coronial Jurisdictions in England and Wales, this being carried out on the retirement of Senior Coroners where appropriate. Since the Senior Coroner for Plymouth retired recently, consideration of the opportunities for a merger have been underway.

For the reasons set out in this document, it is felt that a merged service would be in line with the recommendation of the Chief Coroner and Minister of Justice and would enable service improvements; in the first instance with a focus on reducing the time that families have to wait for inquests to be held.

There is the potential for some cost savings, but initially this will be diverted into the additional support required to reduce waiting times. Plymouth residents will see no changes to the service that they receive other than centralised contact details; face to face events (i.e. the inquest) will occur in Plymouth.

On this basis, it is recommended that a business case for the merger of the coronial jurisdictions of Plymouth, Torbay and South Devon and of Exeter and Greater Devon, is given to the Ministry of Justice for consultation more widely.

CURRENT SITUATION

Currently within Devon there are two coronial jurisdictions, that of Plymouth, Torbay and South Devon with Plymouth City Council as lead authority, and that of Exeter and Greater Devon, with Devon County Council as lead authority.

Much of the work of the Coroners Office is carried out behind the scenes, with correspondence with relatives, health professionals and others carried via emails, letter or phonecalls and conducted by Coroners Officers.

For a small number of cases, an inquest is required. Relatives may not always want to attend in person, however for those that do, there is currently a Coroners Court in each jurisdiction; i.e. one in Plymouth (Derriford Park) and one in Exeter (County Hall).



Coroner Area and Region	2022 cases				
	Reported Deaths 2022	Post-Mortems 2022	PMs as % of reported deaths 2022	Inquests opened 2022	Inquests as % of reported deaths 2022
Plymouth, Torbay and South Devon	2,685	1,145	43%	639	24%
Exeter and Greater Devon	1,967	831	42%	363	18%

Table A; Coroners statistics 2022 [Coroners statistics 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/coroners-statistics-2022)

Plymouth, Torbay and South Devon

Until March 31st 2023 there was a Senior Coroner in post for this jurisdiction. There were no area coroners, and some support through Assistant Coroners was used. Coroner's Officers staffing was provided through Devon and Cornwall Police (who also provide staff to the Devon jurisdiction). There is a Coroner's Court where inquests are held for the jurisdiction area.

Funding information is provided in Appendix I.

Since 1st April 2023, when the Senior Coroner retired, the Senior Coroner of the Devon jurisdiction has had oversight of the whole service, supported by Assistant Coroners. The remainder of the service has remained as it, meaning that there are two locations, and systems in place. This is referred to as the interim model.

On the retirement of the Senior Coroner for Plymouth on the 31 March 2023 Devon were asked by the Ministry of Justice to consider the merging of these two jurisdictions to become one Coroners Service.

OPTIONS APPRAISAL

Options considered;

- Option A – as is - Not to merge the two jurisdictions and remain as is with the appointment of a Senior Coroner for Plymouth Torbay and South Devon.
- Option B – merge the Devon coroner areas into one jurisdiction but keep a Coroner's court venue in Plymouth and in Exeter
- Option C - merge the Devon coroner areas with the proposal to move all resource centrally to Exeter including having a single Coroner's Court venue.
- Option D –merge the Devon coroner areas but to retain both the Coroner's Courts and the back-office functions across the two sites.

The options appraisal considered customer experience, service improvements and cost effectiveness in that order.

- Customer experience - this includes the method of communications between bereaved families and the Coroner, and access to attend any inquest. There are also clear overlaps with...
- Service improvement – this includes improvements to processes and systems, which will result both in back office functions being more streamlined but also improve the waiting times between death and the inquest.
- Cost effectiveness – where improved, or very least the same outputs can be delivered for lower cost by improvements to processes

Option	Customer experience	Service improvement	Cost effective	Recommendation
A (as is)	Same	same	same	
B (merged back office, 2 courts)	Same	Opportunities to improve	Moderate potential for improvements	Preferred option

C (single court and back office)	Detrimental – reduced access to Coroners Court.	Opportunities to improve	High potential for improvements	Rejected in full
D (two back office, two courts)	Same	Opportunities to improve	Low potential for improvements	

Option C was immediately discarded since this would have a detrimental impact on the Plymouth population, reducing access to and therefore limiting their ability to attend the inquests of their loved ones.

Financial Considerations

Currently Plymouth City Council run the coronial service for Plymouth, Torbay and South Devon, and recharge Torbay Council and Devon County Council for coronial work undertaken for their populations.

Under a merged coronial service, DCC would be the lead authority and would recharge Plymouth and Torbay for coronial work undertaken for those areas.

The table in Appendix I summarises current costs, and estimated costs for a merged service using Model B. This does suggest there is potential for cost savings; however, with service improvement being the first priority these cost savings may be minimal since Assistant Coroner capacity (this is a variable capacity resources) will be utilised reasonably heavily in the first few years to drive down waiting times.

Legal Considerations

A service level agreement will be drafted to cover the merger of the services and will be signed by all authorities before the proposed merger takes effect.

Inquests would continue to be held in current locations and would not be centralised. In the event that approval is given for the submission of a merger request to the Chief Coroner and the Ministry of Justice, it is envisaged that the assessment and consultation process could be concluded within a 4-6 month time period.

Equality Considerations

At present contact between the coroner's office and the next of kin/families is invariably via telephone, post or email, and in general face-to face contact only takes place at inquest hearings. Therefore, the physical location of any central support or administrative function is viewed as not critical to the service that the public receive.

The Coroner's Court in Plymouth will remain and will be used whenever a family have signalled that they wish to attend an inquest in person and where Plymouth is the preferred location. It is

noted that some of the Torbay and South Devon population may prefer Exeter, and also some of the residents of Greater Devon (e.g. Tavistock/West Devon) may prefer to attend Plymouth and so the merger will provide greater choice for the wider population.

Therefore, providing robust working arrangements and processes are in place, the impact on the public will be negligible, other than the stakeholders in the Plymouth Torbay and South Devon area having different contact information.

Risk Management Considerations

A risk register is in development to consider the operational risks that may be present during the proposed merger in order to manage and mitigate these risks down. Likely risks include the safe combining of the two management systems (reduced since both systems use the same software) without any loss of impact on data quality.

Other considerations

Name of the service - to avoid confusion, the new service should be referred to as the Devon, Plymouth and Torbay Coroner's Service.

Access to information – arrangements will be put in place to ensure that there is no loss of information, where that is legitimately required.

SUMMARY / REASONS FOR RECOMMENDATIONS

For the reasons set out, it is felt that a merged service would be in line with the recommendation of the Chief Coroner and Minister of Justice and would enable service improvements; in the first instance with a focus on reducing the time that families have to wait for inquests to be held. There is the potential for some cost savings, but initially this will be diverted into the additional support required to reduce waiting times.

Plymouth residents will see no changes to the service that they receive other than centralised contact details; face to face events (i.e. the inquest) will occur in Plymouth.

NEXT STEPS

A merger of the areas will require detailed assessment and joint proposal by Torbay, Plymouth City and Devon County Council and consultation with the Chief Coroner and the Ministry of Justice.

From preliminary discussions, the Chief Coroner and the Ministry of Justice is supportive of these merger discussions. The Senior Coroner and Devon and Cornwall Police are in favour of the proposed merger.

Consultation will be carried out by the Ministry of Justice before any further steps are taken to lay the statutory instrument before parliament. This consultation will include any interested parties to the death management process and those partners to the service such as police, ambulance, mortuaries and funeral directors.

APPENDIX I FINANCIAL COSTS

Category	Exeter and Greater Devon	Plymouth, Torbay and South Devon	Proposed Combined Devon, Plymouth and Torbay	Comment
Salary costs of Coronial staff (including NI and pension contributions)				
Senior Coroner	£195k	Circa £210k (retired)	£195k	Cost saving of permanent Coroner staff of circa 200k
Area Coroners	£120k	-	2 x £120k	
Fees for Assistant Coroner(s)	£445 per day	£445 per day	Variable - minimum commitment of £53k pa	In the short term, there will likely be high costs for these staff whilst the waiting times are reduced.
Salary costs of administrative staff (including NI and pension contributions)				
- Administration	£172k	£67k	£172k	Some cost savings due to fewer admin staff required when back office combined
- Management	£43k p/a	£43 k	£43k p/a	Some cost savings due to fewer management staff required when back office combined
- Casual Jury Officers	as required	as required	as required - typically 1-2% of inquests require juries	
Infrastructure costs				
Staff and inquest accommodation costs	£47,590 p/a	£34,065	Exeter premises (2 courts + offices) £47,590p/a Plymouth premises (1 court only) tbc	Some savings due to removal of the back office space - but only realised if space can be used for other services

IT costs (civica)	£14k (Coroners Management Information System)	£10k	£14k	Cost savings from only needing one system
Other IT Costs	£9k	£2k	£9k	
Commissioned specialist costs				
Post mortem / Pathologist costs etc	Approx £400k p/a	Approx £500k p/a	£900k	No change to existing costs
Mortuary Costs	£460k	£295k	£755k	No change to existing costs but opportunities to make future efficiencies by aligning contract terms & conditions
Ambulance costs (annual)	£209k p/a	£365k p/a	£574k p/a	No change to existing costs but opportunities to make future efficiencies when retendering.