

Briefing on proposed formal out of hours service for North London Coroners Court

Introductions

Further to the LA Jurisdiction meeting on the 16th May 2018, this briefing is to inform Local Authorities within the North London Coroners Court on a proposal for a formal out of hours services for faith communities. The papers sets out the proposal by The Coroner and the potential cost of implementation.

Background

The Coroners Service is covered by the Coroner and Justice Act 2009. Local Authorities (LA's) have retained responsibility for funding local Coroner services under the 2009 Act. Where a Coroner's area spans more than one Local Authority, one of those authorities is known as the 'Relevant Authority' (formerly the 'lead authority'). The London Borough of Haringey is the Relevant Authority for the North London Jurisdiction, which covers the London Boroughs of Haringey, Enfield, Harrow, Brent and Barnet.

The North London Coroners Court budget (as all Coroners areas) is dived across the jurisdiction according to the census population data. The budget is advised at the start of each financial year.

The North London Coroner's Area has the largest Jewish and Muslim populations in the country.

At present the North London Coroner's Service provides an additional informal faith communities out-of-hours service (there is a legal requirement for a Coroner to be available out-of-hours but this does not cover faith deaths in the Community) and has done so for the past 10 years.

Since April 2017 in anticipation of a need for a formal service the Coroners Service has develop a virtual service. This has now been piloted and is ready to launch. This service would be a formal service with a payment made to the Coroner for this additional work, in line (as suggested by the Chief Coroner) with recent LGA guidance on Coroners Pay.

Need for a formal service.

The need for a formal service was foreseen and was highlighted by the Coroner in the meeting with LA jurisdiction members in May 2017. Faith Communities for their religious reasons wish to expedite matters related to the funeral and dealing with their deceased. This is extremely important to families and the communities the jurisdiction represent. In addition a recent decision against Mary Hassell (Coroner for Inner London North) in the High Court by the Jewish Burial Society resulted in adverse publicity attracted by her failure to provide a service which account for the needs of the community. The needs and thoughts of the community leaders can be found in detail within this judgement see paragraphs 59 to 63 of the judgement:

<https://www.judiciary.gov.uk/wp-content/uploads/2018/04/aybs-v-hmcoroner-judgment.pdf>

With needs of the community, this judgement and advice regarding pay (for the Senior Coroner by the LGA and Chief Coroner that Coroners pay does not include out of hours communities faith work) there is a need to regularise arrangements and ensure remuneration for the Senior Coroner work. The L.A

had arranged for two notebook computers to be provided to the MET out-of-hours team to operate this virtual service.

Proposal

The Senior Coroner has proposed a formal service that would be advertised and open for urgent coroners work as follows:

Weekends Saturday and Sunday formally covering 10am- 12 midday

Weekdays after Court has closed at 4p.m throughout the evening for urgent faith matters.

The service requires a Coroner to be available and a member of staff to provide support for the Coroner. The Met Police would be covering the member of staff.

At present, it is estimated that the service receives over 100 requests a year for faith reasons. When advertised and formalised the level and expectation could increase this work. Cover would need to be made when the Senior Coroner is on leave by Assistant Coroners and this has costed in the proposal.

The Coroner would be reviewing and authorisation the following forms by way of example when urgent:

- 'A' certificate - When a doctor has informed a Coroner of the death but the doctor has been given permission by the Coroner to issue a Medical Certificate. This is a form from the Coroner informing the registrar that they are aware of the death but no further investigation is necessary and permission has been given to the doctor to issue the Medical Certificate.
- Order for Burial (form 101) - When there is to be an inquest and the person is going to be buried the Coroner has to give permission for the funeral to proceed.
- Certificate of Coroner (Cremation Form 6) - When there has been a Coroner's post-mortem or there is to be an inquest and the person is going to be cremated.
- Removal Notice (form 104) or 'Out of England' form - When the body is going to be moved out of England and Wales.
- Mortuary Release forms.
- CT scans authorisation – this is for a non- invasive scan to take place.

In addition, the Coroner would be giving advice and directing the various authorities related to the expediency of funerals and other religious requirements as required. Examples include discussions with embassies or arranging for the deceased to remain with the family for religious purposes after death and their subsequent collection/ arranging for a place where the family can be with the deceased.

Costs for this service relate to paying the Coroner for the additional service provision. These matters of pay are a LA decision and fall outside of direction of LGA guidance.

Decisions required

As the relevant authority we are not in a position proceed unless all authorities within the jurisdiction are willing to increase the budget to pay for this service. **This decision is considered urgent as the service is not able to continue on an informal basis for the reasons in this briefing.** Please can you inform me whether you are agreeable with this proposal and the estimated potential costs to the budget.

It is estimated based on the Coroners proposal that the reasonable costs of service would be £56000

This would be in **addition** to proposed budget. For clarity reasons the additional cost estimated breakdown is as follows:

AUTHORITY	Population Based on 2011 Census	Percentage Based on Population	ESTIMATE 2017/18
			£
BARNET	356,400	24.18%	13,541
BRENT	311,200	21.11%	11,822
ENFIELD	312,500	21.20%	11,872
HARINGEY	254,900	17.30%	9,688
HARROW	239,000	16.21%	9,078
TOTAL	1,474,000	100%	56000

The proposed budget for 18-19 has shared and discussed at the jurisdiction meeting on the 16th May 2018. This is attached. In addition, I attach what the budget would look like if the proposal were agreed. This is subject to agreeing payment with the Senior Coroner.

Risks of not providing a service

In part due to the recent judgement in Inner north London but arguably more, importantly there has been considerable interest in meeting the needs of our faith communities out of hours. This interest is both from faith Communities and Politicians alike.

The Senior Coroners has a meeting with both Sadiq Khan the Major of London and Theresa Villiers MP, which amongst the service in general will include a provision of service for faith.