

Draft Coroners Bill - Appendix A - Financial burdens

Clause / Schedule	Narrative	Financial impact
3-6	<i>Reduction in the number of investigations due to exemptions on the duty to investigate:</i> <ul style="list-style-type: none"> Deaths over 50 years ago; Deaths in Scotland or Northern Ireland; Deaths outside the United Kingdom. 	<i>Possible reduction in investigation and inquest costs but these are uncommon cases therefore minimal impact.</i>
7-8	<i>Coroners can transfer the responsibility to other coroners and Chief Coroner can direct a coroner to conduct an investigation.</i>	<i>Potential for unfair distribution; will require monitoring. No mention of inclusion of LA in discussions despite funding responsibilities.</i>
10	<i>Requires the widening of the scope of an investigation to ensure compliance with the ECHR, in particular Article 2.</i>	<i>Potential increase in costs to meet ECHR requirements.</i>
12	<i>ECHR investigations, in addition to equivalent findings, must include a determination as to the circumstances of death.</i>	<i>Potential increase in investigation and inquest costs.</i>
13	<i>Greater discretion for coroners to decide if a jury is required.</i>	<i>Potential reduction in costs incurred through jury inquests.</i>
14	<i>Reduction in number of jurors required to 5 to 7.</i>	<i>Potential to reduce costs for jury inquests. Jury inquests are rare only 570 such inquests last year nationally.</i>
17 - 24	<i>Increased discretion for a coroner to resume adjourned investigations and inquests if he believes there is sufficient cause to do so.</i>	<i>Potential increased costs.</i>
26	<i>Removes the distinction between post mortem examinations and 'special' examinations. Previously 'Specials' could only be carried out on inquest cases. Now the coroner has discretion to detail the type of examination in every case, including requesting additional tests on (traditionally) non-inquest cases.</i>	<i>Potential for large increase in expenditure due to high costs of lab fees and special post mortems. Clause infers use of expensive technology such as MRI scanning.</i>
27	<i>Removes the restrictions on the removal of bodies outside the coroner's district. (In practice this happens already as some specialist provisions are only available in one location nationally)</i>	<i>Potential to increase costs as coroner's request more elaborate examinations and thus more movement of bodies nationally.</i>
32	<i>Coroner's pay and expenses will be contained in secondary legislation, i.e. no detail.</i>	<i>Currently these are negotiated nationally through the Local Government Employers' body. We would not want to see any change to those arrangements.</i>
33	<i>Obliges LA to provide and maintain proper</i>	<i>Large capital investment</i>

	<p>accommodation for investigations and inquests. This means accommodation for Coroners, Coroner's Officers, administrative staff and court facilities. Currently the provision is mainly:</p> <ul style="list-style-type: none"> • Coroner's Officers housed by police; • Coroner's in private solicitor / GP practices; • Court facilities provided by court service. 	<p>required as well as increased revenue costs in providing office and court accommodation. In most cases this will require this provision for the first time.</p>
34 - 40	<p>National Coroner for Treasure established. Responsibility removed from local coroners</p>	<p>Potential small reduction in costs as very low referral rate (412 nationally in 2004).</p>
41	<p>Inquests continue to be held in public. There was suggestion that certain inquests could be held in private, which may have reduced costs.</p>	<p>As now.</p>
42	<p>Senior coroner can summons witnesses from anywhere in England or Wales as opposed to just their administrative area. They can require witnesses to bring evidence / information with them.</p>	<p>Potential to increase the number of witnesses called and the associated costs.</p>
44 – 46	<p>The coroner has an express power to take evidence from persons under 17 or others in the interests of the effective or efficient administration of the proceedings via 'Live link' or cleared courtroom.</p>	<p>This will an additional cost to those outlined at clause 33.</p>
50	<p>New statutory power to enter and search premises and seize items which are relevant to the investigation.</p>	<p>Cost increases due to administrative burden of applying for permission from the chief coroner and the use of coroner's officers in carrying out the task. In reality there are very few, if any, cases where such information will not have been seized by police or other agencies.</p>
53	<p>A more elaborate system with regards the retention of human remains.</p>	<p>Potential increased administrative costs in new system, particularly system for notification of retention.</p>
56 - 59	<p>Offices of Chief Coroner and Deputy Chief Coroners. Chief Coroner will have role to oversee performance standards, provide leadership and training arrangements which implies that they will direct local services.</p>	<p>Potential increased LA costs to meet directives of this new office in particular re standards and training.</p>
60 - 61	<p>Appeals to Chief Coroner. Potential increase in second hearings following the quashing of inquests in simplified system. Chief Coroner can also compel to hear inquests.</p>	<p>Potential increase in inquest costs due to Chief Coroner directions. Also considerable administrative burden and legal costs of responding to appeals will be borne by LA.</p>
63	<p>Coronial Advisory Council established.</p>	<p>This will be funded by central government.</p>
72	<p>Abolition of the office of coroner of the Queen's household. Future investigations will be carried</p>	<p>Potential increased costs for LAs in whose areas high profile</p>

	<i>out by the coroner in whose area the body lies or a coroner directed by the Chief Coroner.</i>	<i>royal investigations take place. Suggest these should be funded centrally to reflect national importance of such cases.</i>
<i>Schedule 1</i>	<i>Appointment of coroners. The Lord Chancellor's new powers:</i> <ul style="list-style-type: none"> <i>• consent to all appointments of senior and area coroners;</i> <i>• decide number of coroners per district;</i> <i>• set area boundaries;</i> <i>• specify which local authority will be lead authority.</i> 	<i>The Lord Chancellor's increased powers will likely place additional burdens on LAs e.g. setting coronial district boundaries and deciding number of coroners to be paid for by LA.</i>