

Cambridgeshire and Peterborough Coroner Service Annual Report

To: Communities, Social Mobility and Inclusion Committee

Meeting Date: 2 September 2021

From: Assistant Director: Regulatory Services, Peter Gell

Electoral division(s): All

Key decision: No

Outcome: Committee notes the work of the Coroner Service and approves the recommendation to progress work towards new office and inquest facilities.

Recommendation: The Committee is asked to:

- a) Note the updates from the Coroner Service; and
- b) Note that the service will explore costed alternative office and inquest facilities with Property Services.

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1. Background

- 1.1 The Cambridgeshire and Peterborough Coronial Jurisdiction was created on 1st August 2015 when the Senior Coroner, David Heming was appointed, and is based at Lawrence Court in Huntingdon.
- 1.2 HM Coroner conducts investigations into deaths that are unexpected or unexplained, including those where it is suspected that the deceased died a violent or unnatural death, the cause of death is unknown, or the deceased died while in custody or otherwise in state detention. HM Coroner will determine the identity of the deceased together with how, when and where the deceased came by his or her death.
- 1.3 The duties of HM Coroner and the statutory duties of the service and the local authority are set out in the Coroner and Justice Act 2009. Coroners are independent judicial office holders. Appointments require the consent of the Chief Coroner and Lord Chancellor.
- 1.4 There are four main hospitals within the jurisdiction, and as specialist hospitals, there are several exceptionally complex hospital deaths associated with Addenbrookes and Papworth in particular that require an inquest. Similarly, there are three prisons across the area. All deaths in state detention require an inquest, and these are often complex, high profile cases that require a significant time investment.
- 1.5 The number of deaths registered annually averages 4,000 with approximately 14% of cases referred to the Senior Coroner. Post-mortem examinations are conducted at Addenbrookes and Peterborough City Hospital by hospital pathologists.
- 1.6 A Coronial service update is provided to the committee annually.

2. Main Issues

2.1 Looking Back from January 2020

2.1.1 Coronial appointments and staffing

At the start of 2020 the service had one Senior Coroner and six Assistant Coroners. However, as the year progressed, the service effectively lost four of the Assistant Coroners through retirement, promotions in other jurisdictions and work pressures in their primary sources of employment (Assistant Coroners work on an as-needed basis alongside their substantive employment elsewhere). Over autumn and winter, the service recruited two Area Coroners (one full time and one part time, and wholly employed by the council) and a further 10 Assistant Coroners across a whole range of disciplines in order to tackle the diverse and complex range of cases that the service sees. Coronial appointments required approval from the Chief Coroner and Lord Chancellor. These appointments were somewhat delayed, awaiting approval from the Chief Coroner for several months. All joined in 2021 and were in post by April.

Approval has also been obtained to recruit additional officers to provide the capacity necessary to support the coroners and manage the high case load.

Training and staff development continues to be a key focus. National training was postponed due to Covid-19 and we await confirmation of how this will look in 2021. In-house training has continued to develop more efficient and, in some cases, more standardised ways of working.

2.1.2 Partnerships

The service continues to build important relationships with agencies with shared interests, both nationally and locally. Processes are in place to ensure that relevant information can be readily shared with both the Child Death Overview Panel, Healthcare Safety Investigation Board and the Learning Disabilities Mortality Review with a view to improve processes and ultimately, prevent future deaths. The service also attends multi agency meetings for Harm Reduction and Drug Related Death Mortality, providing any insights or trends that the service identifies.

The service has worked closely with the police in the last 6 months in order to improve the quality of the initial investigation carried out by police upon attendance of a sudden death, and the subsequent Coronial paperwork that follows. The police have now produced a 'Sudden Death' e-book for their officers for the first time, with hyperlinks to Coronial processes that the service drafted. Part of this e-book also covers faith deaths and the separate processes that ought to be followed in the event that someone with strict religious beliefs dies in the community. This has been very well received, by both the service and police, and shared nationally by the police.

The service has also continued to build upon the relationship with the Crown Prosecution Service and has now had two trainee solicitors complete a secondment with the service as part of their training contract. They gained exposure and experience of working on some of the more complex inquests while the service gained legal experience and skills from lawyers at the beginning of their careers. It also means that the trainee solicitor was able to undertake some of the time-complex and time-consuming Inquests, thereby freeing up capacity for Inquest Officers. The service did not pay for these secondments, and it has been an excellent incentive which has enriched the service, while at the same time saving the service money.

2.1.3 Technology

Covid-19 required the service to change the way in which it operated, particularly in relation to hearings. Pre-Covid, all hearings would be in person, and this meant that families, clinicians, and medical experts would all have to travel into court, often at a financial and emotional cost. Quite early on the service was able to switch all hearings to purely remote ones, using Skype in order to facilitate this.

As time went on and technology developed, the service was able to adapt to achieve more efficient hearings. Switching to Microsoft Teams was more stable than Skype and, as lockdown eased, the service was able to facilitate in person, purely remote and hybrid hearings depending on the requirements of the specific hearing. There has also been

investment in sound equipment and screens as well as upgrading Wi-Fi infrastructure to support hearings.

With the increased reliance on and use of technology, the service seconded two administrative assistants to the role of court ushers, and they are now responsible for the smooth running of the hearings.

The service has welcomed back the court support service volunteers who are able to support families and offer further guidance as to the nature of the hearings themselves. This support at hearings is greatly received by the families in attendance. The net effect of all of this has meant that Coroners can concentrate on the hearing rather than other matters.

2.1.4 Venues

Linked to technology was the need for Covid compliant court and office space. It is a legal requirement that all hearings are conducted in open court, irrespective of national lockdowns that we have seen over the past year.

Historically, the service has always struggled to find reliable court space that was affordable and fit for purpose. The service has had to be creative and in 2020, secured a number of alternative venues in order to ensure that hearings went ahead. Due to civil and criminal courts also experiencing a backlog, competition for court space increased exponentially.

One of the many benefits of the joint jurisdiction was seen at this challenging time, with the Joint Management Team (JMT) across Cambridgeshire County Council and Peterborough City Council agreeing to open up Peterborough Town Hall for use as an Inquest venue, despite the building largely being shut to all others at the time, including the general public. This was invaluable and meant that the service was able to continue to hear cases that otherwise would have been adjourned. From July 2020 to April 2021, there were 209 hearings at the venue, which equates to more than one per working day, including cases originating within Cambridgeshire.

The service has worked hard to improve the IT and technological infrastructure at venues in order to save funds by reducing the need to hire expensive, technologically equipped venues.

2.1.5 Performance

Despite the successes in securing additional court space and the use of technology to facilitate hearings, like other jurisdictions in the country, the pandemic has significantly increased the backlog of cases (those over 12 months old) from 113 to 256. Of those cases over a year old:

- 55% were delayed due to complexity i.e., awaiting specialist reports
- 21.5% were delayed due to Covid
- 12.1% were suspended and therefore out our control i.e., while criminal investigations take place
- 6.5% were deaths that occurred abroad i.e., awaiting evidence from overseas
- 5.5% were listed, ready for Inquest

Reducing the backlog is the key service priority for this year.

During 2020, 50% of Inquests were concluded within 6 months of opening and further, 80% of Inquests were concluded within one year. Despite the lockdown, the service made good use of court facilities and were able to hear 5 jury inquests, and 7 complex cases during lockdown with these totalling 488 sitting hours, where many jurisdictions were unable to undertake any.

The service has seen a shift in the way that court time is used (as shown in table 1 below), moving away from long final Hearings and instead, making use of case management in Pre-Inquest Review Hearings (PIRHs). In these, Coroners identify the scope of the Inquest, who the Interested Persons are, when the Inquest will be listed and what the issues will be. They are increasingly being used to manage the family's expectations and identify any peripheral issues ahead of the final Hearing. Not only does this mean that the families are more engaged and better informed, it ensures that final Hearings are more efficient, necessitating less court time:

Table 1 – Court Time

Year	Court hours (on the year before)
2020	- 25 %
2021	+17 %
Inquest times (on the year before)	
2020	+8 %
2021	- 30 %
PIRH times (on the year before)	
2021	- 8 %
2021	+22 %

The increase in court hours seen in the first quarter of 2021 is a reflection of the increased availability of Coroners, a trend that should continue to increase.

2.1.6 Finance

Over the past three years there has been an increase in the service budget to reflect the rising demand and increased cost of cases, this being due to the increased complexity of Inquest cases, increased contract costs (i.e., for mortuary provision) and the number of cases more than 12 months old.

The service mitigates costs where possible, for example, using council-owned buildings as a court venue, exploring how technology can aid Inquests, as well as reviewing the current mortuary and pathology facilities and contracts, and further details can be found throughout the report.

Appointment of the Assistant Coroners was given careful consideration to bring the knowledge, expertise and skills required to meet the specific challenges of the coronial jurisdiction. In doing so, costs can be kept as minimal as practically possible by allocating cases based on the area of expertise of each Assistant Coroner. Assistant Coroner charges are incurred only when they are used.

The Joint Management Team have approved an additional £370k specifically to manage the backlog of cases, and as with all Coroner Service costs, this will be split 65%:35% across Cambridgeshire County Council and Peterborough City Council respectively. The additional budget will be used to cover increased staff costs, namely Assistant Coroners time, two additional Coroner's Officers and two Court Ushers, this being a new post for the service. Costs will be split evenly over two financial years.

A reserve is now in place to offset costs of exceptional cases, defined as those that are more complex and therefore require a greater level of resources which carry with them significant costs.

2.2 Looking Ahead

2.2.1 Service Ambitions & Developments

Last year it was agreed that the service would report back to Committee following a service review assisted by the council's transformation team. The purpose of the review was to explore options to enhance the efficiency of the Service through better use of technology as well as the feasibility of the council building its own inquest, office, pathology, and mortuary facility. The key findings are outlined below.

2.2.2 Office Facilities

The Coroners Service is currently based at Lawrence Court in Huntingdon. It provides an office base for all staff working in the Service. The nature of the building means that staff are split across a series of small offices. The need to physically get up in order to talk to team members reduces the natural flow of information, opportunities for collaboration and shared problem solving. Staff preference is for an open plan space, however Lawrence Court is a listed building and cannot be reconfigured in this way.

Since March 2020 the majority of staff have been working from home due to the pandemic, and 65% of staff have indicated they would like to continue to work from home three days a week, so this has been factored into the desirable future office need requirements, these requirements including:

- Open plan office with desk space for 12 staff to be used at different times for up to 50 staff.
- One meeting room big enough for whole staff meetings.
- Several smaller meetings rooms seating between 4-12 staff for collaborative working.

2.2.3 Inquest Facilities

The Coroners Service have four options for Inquest space currently:

- Court room at Lawrence Court. This room is shared with the Registration Service who also use it for weddings and citizenship ceremonies.
- Peterborough Town Hall. This is an ideal venue as it has a large room suitable for the Inquest itself but also two side rooms that can be used as a Jurors' retirement room and Coroner's office. This space is free of charge. Over the last 18 months the Coroners

Service have been the sole users but will have to return to sharing with Peterborough City Council as lockdown restrictions are lifted.

- Huntingdon Town Hall (the service has to pay for this facility).
- Huntingdon Racecourse (the service has to pay for this facility).

In addition to the costs of venue hire, working across multiple venues generates travel costs. The increasing demand for court space has driven the annual spend on external venue hire to £46k per year. The service will need to maintain or increase this cost in order to tackle the number of cases it has, and to meet the demand needs to run cases concurrently.

In developing this report it's been considered whether increasing the available in-house court space will generate financial savings and/or efficiency benefits.

An analysis of the number and complexity of cases taken through to the inquest stage demonstrates that the service requires a minimum of three court rooms plus supporting areas. These can also be utilised by the service for meeting rooms and collaborative working.

Property Services have indicated they would be happy to support further investigation of office and inquest facilities to meet the future needs of the service. This would include a review of the council's current assets portfolio as well as alternative options.

2.2.4 Mortuary and Pathology

Body storage and Pathology is contracted to Addenbrookes Hospital and Peterborough City Hospital for which the service is dependent. The decision to proceed with a post-mortem is made by the Coroner. Any tests that are undertaken as part of the post-mortem are at the discretion of the NHS employed Consultant Pathologists. Due to the dependency on both hospitals the ability to negotiate contract costs is limited. The only alternative providers are in the private sector or out of county and are more expensive. Both hospital contracts are up for renewal in 2022 and costs are expected to rise.

It is difficult to benchmark Coroner's Services as there are numerous contributing factors. However, it is useful to consider how our costs and demand compare with other neighbouring services. Suffolk and Norfolk, who are working on their own mortuary project, were selected as a means of comparing demand and costs. The benchmarking highlighted that whereas there are variations in specific budget areas, on the whole our costs are not excessive and are in line with our neighbours.

In exploring the viability of the council building a mortuary and pathology facility an uplift of 10% on current contract values was factored in as the comparator. Consideration has also been given to the limited pathology capacity nationally, and the Chief Coroner's view that local authorities should continue to support existing arrangements as the national pathology shortage is felt in need of Government intervention.

In order to develop a mortuary specification for Cambridgeshire a comparative study of two similar facilities was undertaken, these being Flax Bourton in the south west, and the Medico Centre in Yorkshire.

Though the facilities at these sites were impressive, enquires have identified that they are not a more affordable delivery model once the costs were considered, it being more costly

than current arrangements. In addition, when pathology is undertaken by visiting pathologists their service availability also tends to be a problem compared to when pathology is undertaken in the hospital. In a hospital setting a pathologist can fit examinations for coroners around their other work, as against having to travel to other facilities. Hospitals are reporting a shortage of pathologists, and anything which adds additional demands on their time such as travel will increase the risk of service failure.

The above two facilities are financially viable as the local geography facilitates other jurisdictions also using them, this spreading the cost across several local authorities. Enquiries undertaken as part of this review have identified that there is not however the interest in the eastern region for such a centre, the distance between jurisdictions being prohibitive. Without the ability to spread the costs of a facility amongst other local authorities, coupled with the challenges regarding pathology, building a facility for Cambridgeshire and Peterborough is not a viable proposition at this time, it is not proposed therefore to pursue investigations in this respect any further. Our existing mortuary providers have sufficient mortuary capacity to meet the needs of the jurisdiction for the foreseeable future.

2.2.5 Technology

As referred to above as a result of Covid-19 the service has needed to invest in technology over the last 12 months, so positive developments in this respect have already taken place.

The technology review has also considered additional functionality available with the current back-office system used by the Coroner's Service called 'WPC', and another system used in the Crown Court called 'Caselines'. In particular, handling case bundles has been a focus as this is a time-consuming process currently. With additional development of WPC underway, such as linking it into Microsoft applications, and additional functionality which the company have highlighted which would assist the service, it makes sense to remain with WPC at this time.

2.2.6 Future Developments

The greatest opportunities to improve the service lie in the current office and Inquest facilities. In particular the development of a larger inquest facility would be transformative for the service in terms of generating service efficiencies and reducing costs. This would enable the service to process cases quicker and in doing so provide more efficient resolution for families.

3. Alignment with corporate priorities

3.1 Communities at the heart of everything we do

There are no significant implications for this priority.

3.2 A good quality of life for everyone

The delivery of an efficient and professional Coronial Service directly impacts on the wellbeing and quality of life of bereaved families. The work that HM Coroner undertakes to

prevent future deaths, either through Section 28 notices following an Inquest or working with partners to identify trends, contributes to the wider quality of life of others.

3.3 Helping our children learn, develop and live life to the full

There are no significant implications for this priority

3.4 Cambridgeshire: a well-connected, safe, clean, green environment

Growing the capacity of our own in-house team will reduce the reliance on agency and locum staff, in turn reducing unnecessary travel to and from the county. In addition, having venues north and south of the county reduces travel for families and other parties when attending inquests.

3.5 Protecting and caring for those who need us

The Coroner service plays a vital role in supporting bereaved families and friends, and the efficiency of the service coupled with sensitivity of communication and approach are all key to this.

4. Significant Implications

4.1 Resource Implications

There are no significant implications within this category.

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

The provision of mortuary and pathology services need to be tendered in an open fair and transparent manner. With agreements due to expire in 2022 the procurement process will commence shortly.

4.3 Statutory, Legal and Risk Implications

The Local Authority has a statutory duty to provide the necessary resource to support the work of HM Coroner. This is also a high-profile service and therefore carries reputational risk implications.

4.4 Equality and Diversity Implications

There are no significant implications within this category.

4.5 Engagement and Communications Implications

There are no significant implications within this category.

4.6 Localism and Local Member Involvement

There are no significant implications within this category.

4.7 Public Health Implications

The Coroner Service works closely with Public Health in terms of providing mortality and morbidity data but also especially in the areas of substance misuse and mental health related deaths and associated implications for services. It provides a similar role of secondary and primary care health services.

4.8 Environment and Climate Change Implications on Priority Areas:

4.8.1 Implication 1: Energy efficient, low carbon buildings.

Positive/neutral/negative Status: NA

Explanation: There are no significant implications within this category.

4.8.2 Implication 2: Low carbon transport.

Positive/neutral/negative Status: N/A

Explanation: There are no significant implications within this category.

4.8.3 Implication 3: Green spaces, peatland, afforestation, habitats and land management.

Positive/neutral/negative Status: N/A

Explanation: There are no significant implications within this category.

4.8.4 Implication 4: Waste Management and Tackling Plastic Pollution.

Positive/neutral/negative Status: N/A

Explanation: There are no significant implications within this category.

4.8.5 Implication 5: Water use, availability and management:

Positive/neutral/negative Status: N/A

Explanation: There are no significant implications within this category.

4.8.6 Implication 6: Air Pollution.

Positive/neutral/negative Status: N/A

Explanation: There are no significant implications within this category.

4.8.7 Implication 7: Resilience of our services and infrastructure, and supporting vulnerable people to cope with climate change.

Positive/neutral/negative Status: N/A

Explanation: There are no significant implications within this category.

Have the resource implications been cleared by Finance? Yes

Name of Financial Officer: Martin Wade

Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the Head of Procurement? Yes

Name of Officer: Henry Swan

Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer? Yes

Name of Legal Officer: Fiona McMillan

Have the equality and diversity implications been cleared by your Service Contact? Yes

Name of Officer: Adrian Chapman

Have any engagement and communication implications been cleared by Communications?

Yes

Name of Officer: Christine Birchall

Have any localism and Local Member involvement issues been cleared by your Service Contact? Yes

Name of Officer: Adrian Chapman

Have any Public Health implications been cleared by Public Health? Yes

Name of Officer: Val Thomas

If a Key decision, have any Environment and Climate Change implications been cleared by the Climate Change Officer? Yes

Name of Officer: Emily Bolton

5. Source documents guidance

5.1 'Chief Coroners Combined Annual Report 2018-2019 and 2019-2020'

[Chief Coroners combined annual report](#)

5.2 Location

As above