



Ministry of
JUSTICE

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To all on the attached list

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Via email

4 January 2011

Dear all

**PROPOSED AMENDMENTS TO THE CREMATION (ENGLAND AND WALES)
REGULATIONS 2008**

You will recall that I wrote to you all on 4 January 2010 inviting comments on some proposed amendments to the Cremation (England and Wales) Regulations 2008. Briefly, the amendments consulted on were minor and technical in nature and mainly concerned the cremation forms contained at Schedule 1 to the Regulations.

Shortly after the period for responses closed (1 March) we analysed the responses and discussed the way forward within the Department. However, due to the impending May General Election we were unable to commence any legislative procedure for taking these amendments forward at that time. This is because we are required to obtain Ministerial approval before commencing any legislative amendment exercise and there is a period of "purdah" preceding the election when work of this nature is strictly prohibited.

Our new Ministers have now indicated that the proposed amendments to the Cremation Regulations should not be taken forward. They have made this decision in large part because of other Departmental priorities, but also because there are other amendments that will need to be made to the Cremation Regulations as a result of the reform of death certification and it would not make sense to make any of the amendments now.

As you may know, the Department of Health has now confirmed that reform of death certification which will introduce medical examiners *will* be taken forward. Medical examiners will scrutinise all deaths that are not investigated by a coroner prior to registration, as well as authorise disposal (cremation or burial) for every case dealt with by them (coroners will authorise cremation or burial in every case investigated by them). These reforms will clearly require substantial changes to be made to the Cremation Regulations.

We understand that the Department of Health will be consulting on the secondary legislation underpinning these reforms in spring 2011 and that the changes will come into effect in April 2012. Work is now in hand to implement these reforms.

I know this will come as a disappointment to some of you. Please do not hesitate to get in contact with me should you require any further information. For queries on the Department of Health led reform, please check their website: http://www.dh.gov.uk/en/Managingyourorganisation/DeathCertification/FAQ/DH_084878

Yours sincerely



Judith Bernstein
Head of Current Coroner Policy

List of those receiving this letter

Rick Powell, Secretary, FBCA
Tim Morris, Secretary, ICCM
Roger Arber, Secretary, Cremation Society
Richard Barradell, APCC
Liz Hobson, LGA
Rosie Hogwood-Helm, BMA
Nigel Lymn Rose, NAFD
Alun Tucker, SAIF
David Trembath, GRO
Dr Roy Palmer, Coroners Society
Andre Rebello, Coroners Society
Michael Burgess, Coroners Society
Christine Hurst, Coroners Officers Association
Darren Fitter, IRIS Software
Dr Emyr Benbow, RCPATH
Kristi Adams, Human Tissue Authority
Karen Caney, British Institute of Embalmers
Dr John Sarginson, Medical Referee
Dr Gordon Pledger, Medical Referee
Dr Chris Stretton, Medical Referee
Dr Harvey Gordon, Medical Referee
Dr Basil Wiratunga, Medical Referee
Dr Mike Harris, Medical Referee
Dr Richard Neal, Medical Referee
Dr Leslie Ross, Medical Referee
Simon Bennett, Dept of Health
John Rotherham, Bereavement Services Management Centre
Angela Abbott, Milton Keynes Crematorium
Martin Birch, Cardiff Crematorium
Sharon Herbert, Havering Crematorium
Charles Howlett, Chilterns Crematorium
Glynn Jones, Sheffield Grenoside Crematorium
Dawn Squires, Eltham Crematorium
Nikki Hewitt, Hull Crematorium
Gordon Hull, Solihull Crematorium
Ian Rudkin, Worthing Crematorium
Jack Startin, North Lincolnshire Crematorium
Dr James Briggs
Mark Darbyshire, Stockport Crematorium

Bev Richardson, Macclesfield Crematorium
Rob Lawton, Wolverhampton Crematorium
Peter Robinson, London Borough of Wandsworth
Alan Royston, Fylde Crematorium
Gill Steadman, Eastbourne Crematorium
Edward Ranger, Croydon Crematorium
Adrian Barbour, Dignity
Angela Li, Norwood Crematorium
Welsh Local Government Association
Welsh Language Board

