

**REPORT TO PORTCHESTER CREMATORIUM JOINT COMMITTEE  
MEETING – 2<sup>ND</sup> MARCH 2009**

**REPORT BY MANAGER AND REGISTRAR**

## **UPDATE ON THE IMPLEMENTATION OF THE 2008 CREMATION REGULATIONS**

### **Purpose**

1. To provide the Joint Committee with an update on the implementation of the new Cremation Regulations.

**RECOMMENDED that the report be received and noted.**

### **Background**

2. On the 1<sup>st</sup> January 2009 the Cremation (England and Wales) Regulations 2008 came into force. This was a response to the Shipman Enquiry and the recommendations that followed. The new regulations consolidated the 1930 regulations and all subsequent amendments.

### **Implementation**

3. The major changes contained in the regulations are the introduction of completely new forms replacing the old forms used under the 1930 regulations, and the right to inspect the medical certificates by the applicant for cremation. The right to inspect comes as a result of recommendations made after the Shipman Enquiry. Whilst it was expected by the Ministry of Justice there would not be a great demand to exercise this right, to date it has been requested on 8 occasions and in each case the families have been happy and no significant issues have been raised.

4. The transition period during January went relatively smoothly. Briefings were held with all funeral directors and the patient affairs officers at the local hospitals prior to the 1<sup>st</sup> January. The Ministry of Justice issued comprehensive guidance to all involved in this process including medical practitioners, funeral directors and cremation authorities and this undoubtedly proved useful in the transition from old to new. Whilst initially there was some discontent with the length and scope of the new forms they have now become generally accepted as doctors and funeral directors have become more familiar with them. We have, however, found that there is a greater administrative burden on the office in the checking of these new forms prior to presenting them to the medical referee. The length and depth of enquiry required in completing the forms necessitates a far greater time in cross checking all the details provided. However, this has also become slightly easier as we ourselves become more familiar with them.

5. We are informed by the Ministry of Justice that these new regulations are an interim measure before the next stages of reform (as recommended by the Shipman Enquiry) are implemented in approximately 2 years. These new reforms will see the introduction of Medical Examiners working alongside the Coroners office in examining all deaths. This should mean that all current documents used in procuring cremation would become redundant and be replaced by a single form authorising cremation.

6. There were other practical issues involved in the change including a fairly major update to the cremation management software. These updates were completed with no hitches.

**James Clark**  
**Manager and Registrar**

*Background list of documents –  
Section 100D of the Local Government Act 1972 – None*