

From: Simon Jones, Corporate Director of Growth, Environment and Transport

To: Clair Bell, Cabinet Member for Community and Regulatory Services

Subject: Merging of Coronial Areas under Schedule 2 of the Coroners and Justice Act 2009

Key decision: 25/00034

**Electoral Division: All**

**Summary:** An application has been submitted to the Lord Chancellor to merge the coroner jurisdictions known as Mid Kent & Medway, Central South East Kent, North East Kent and North West Kent into one jurisdiction to be called namely Kent and Medway.

The opportunity has arisen following the resignation of Mr Roger Hatch, Senior Coroner for North West Kent.

The instrument for the merger is supported by Chief Coroner Guidance No. 14 Merger of Coroner Areas

The geographical boundaries do not change post-merger

**Recommendation:**

The Cabinet Member for Community and Regulatory Services is asked to agree to approve the merger of the four existing coronial areas covering Kent and Medway into a single jurisdiction as shown at Appendix A.

## 1. Introduction

### Legislation

- 1.1 The legislation underpinning this proposal is the [Coroners and Justice Act 2009](#)
- 1.2 Additionally Chief Coroner HHJ Thomas Teague QC issued further guidance, publishing the Chief Guidance No. 14 Merger of Coroner Areas on the 1<sup>st</sup> of May 2014 revised in August 2022. This guidance is supportive of merging coronial jurisdictions.
- 1.3 The Sixth 2018 – 2019 and Seventh 2019 – 2020 Annual Report of the Chief Coroner to the Lord Chancellor further supports merging of coronial areas, recording:

*There are currently 85 coroner areas in England and Wales and the long-term joint target with the Ministry of Justice is to reduce the number to around 75. Mergers are always considered when the opportunity arises, invariably when a senior coroner retires. The merging of coroner areas has many benefits as combining areas leads to greater consistency and uniformity of approach within the coroner service, as well as potential savings for the local authorities concerned. A reduction in the number of coroner areas over the last few years has been of*

*considerable benefit, leading to more areas that are of similar size. All mergers that have taken place have been achieved through consensus and agreement*

- 1.4 Coronial service provision across Kent and Medway is currently organised around a central team of KCC staff who support all four existing coroner areas and use the same resources, systems and procedures regardless of which formal coroner area the case falls within. It is not proposed that the formal merging of the four areas will make any changes to the way in which the KCC service is delivered. Some efficiencies will be achievable in the new merged area. For example, four annual returns, one for each area, are currently required to the Chief Coroner of England whereas only one will be required in future.
- 1.5 The final decision as to whether to permit the merger rests with the Lord Chancellor.

## **2. Statutory Duty**

### Senior Coroner responsibility

- 2.1 Mr. Roger Hatch, Senior Coroner for the jurisdiction of North West Kent resigned on the 29<sup>th</sup> of November 2024 with the intention to retire in Summer 2025.
- 2.2 This proposed merger will create a unified jurisdiction by combining Mr. Roger Hatch's North West Kent area with three other jurisdictions within the Kent and Medway borders: Mid Kent and Medway, Central South East Kent, and North East Kent.
- 2.3 All of these three jurisdictions are currently overseen by Senior Coroner Mrs. Patricia Harding, since taking over the role of Senior Coroner for Mid Kent & Medway in May 2011. Mrs. Patricia Harding has also served as the Acting Senior Coroner for North East Kent since August 2015, and for Central South East Kent since February 2017.
- 2.4 Kent County Council is the 'Relevant Authority' for all four existing coroner areas meaning KCC has the statutory duty to provide the staffing and accommodation necessary for the performance by the coroners of their judicial functions.
- 2.5 If the merger is approved the proposal is to reduce the number of Senior and Acting Senior Coroners across these four areas to a single Senior Coroner responsible for the newly merged jurisdiction supported by area coroners.
- 2.6 If approved Kent County Council proposes we effect the merger in accordance with 'Guidance No. 14, Mergers of Coroner Areas', specifically point 18, option 1, meaning Mrs Harding would be appointed without open competition. This has been confirmed with KCC HR.

### Area Coroner responsibility

- 2.7 Currently area coroners are appointed to all four existing areas. Following the merger, area coroners will assume judicial responsibilities for specific areas of

Kent & Medway whilst also managing cases in other areas. This new structure is designed to enhance clarity and efficiency in their roles, ensuring a comprehensive approach to case management and resilience across the whole of Kent and Medway.

### **3. Financial Implications**

- 3.1 The saving of a single Senior Coroner salary will in part be offset by an increase in the salary of the remaining Senior Coroner who assumes the fourth jurisdiction. The remainder of the retiring Senior Coroner's salary will be invested in Area or Assistant Coroner capacity

### **4. Options considered but discarded**

- 4.1 Do nothing. This would be counter to the direction of travel of the Chief Coroner who has supported the existing temporary arrangements for three of the four jurisdictions. It is likely that those three Jurisdictions would need to be merged, leaving one single jurisdiction without a Senior Coroner and needing to have one appointed. Doing nothing would also limit the ability for efficiencies to be introduced into the services supporting the coroners.

### **5. Legal implications**

- 5.1 The Kent (Coroners) Order 1998 sets out the Kent County Council is the 'relevant council' for the purposes of the Coroners and Justice Act 2009 across Kent and Medway. This means that KCC is responsible for the duty under section 24 of that act to provide the staff and accommodation needed for the coroners to carry out their functions. It is for KCC to decide how to discharge that duty, although there is a requirement for the views of the Senior Coroner to be taken into account.
- 5.2 Mrs Harding is fully aware, and supportive, of the proposal to formally merge the existing four areas into one.

### **6. Equalities implications**

- 6.1 The Kent and Medway Coroner Service completed an EQIA during the colocation of courts and offices from various locations to Oakwood House - the merger will also be covered in an additional EQIA specifically covering the merger details, although there are no proposals to change the way in which the service to the public is delivered.

### **7. Data Protection Implications**

- 7.1 For the purposes of the Coroner Service, the two Senior Coroners are the data controllers. The General Data Protection Regulations (GDPR) do not apply to deceased persons, but information is collected during the course of Coroner Officer enquires that relates to the living. This includes details about next of kin, for example name, address, and telephone number. Sometimes this information is shared with other organisations for the specific purposes of the coroner's investigation, for example with the NHS for the purpose of conducting a postmortem.

## **8. Governance**

- 8.1 The Lord Chancellor has the final decision as to whether to accept the proposal to merge the four areas into one.
- 8.2 Following Committee's debate and recommendations, and the Cabinet Member's own determination on the proposal, KCC will formally write to the Lord Chancellor, with their final decision expected no later than 31<sup>st</sup> May 2025.

## **9. Conclusions**

- 9.1 We are committed to maintaining high standards while bringing clarity to certain aspects of the process for local individuals across the four jurisdictions involved. The merger not only creates chances for efficiencies through the standardization of processes and procedures across the newly formed jurisdiction but also introduces a single Senior Coroner for the first time. This unified position will foster stability and promote a cohesive jurisdiction devoted to the residents of Kent and Medway.
- 9.2 The approval of this merger will empower our coroners to gain a deeper understanding of the challenges facing different areas, enabling the Kent and Medway coroners service to collectively address any issues with shared commitment and resolve.

## **10. Recommendation**

- 10.1 The Cabinet Member for Community and Regulatory Services is asked to agree to approve the merger of the four existing coronial areas covering Kent and Medway into a single jurisdiction as shown at Appendix A.

## **11. Appendices**

- Appendix A – Proposed Record of Decision  
Appendix B - Jurisdictions prior to Merger  
Appendix C - Jurisdictions post-Merger

## **12. Contacts**

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