EXPLANATORY MEMORANDUM TO

THE CORONERS AND JUSTICE ACT 2009 (ALTERATION OF CORONER AREAS) ORDER 2025

2025 No. 655

1. Introduction

1.1 This explanatory memorandum has been prepared by the Ministry of Justice and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Alex Davies-Jones MP, Parliamentary Under-Secretary of State at the Ministry of Justice confirms that this Explanatory Memorandum meets the required standard.

2.2 Terence Davies, Deputy Director for Death Management, Inquiries and Coroners Division at the Ministry of Justice confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Heather Atkinson at the Ministry of Justice can be contacted with any queries regarding this instrument on 020 3334 4204 or at heather.atkinson@justice.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument amalgamates the: (a) Central and South East Kent, (b) Mid Kent and Medway, (c) North East Kent and (d) North West Kent coroner areas to create a new coroner area to be known as "Kent and Medway".

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) of which the instrument forms part of the law) is England and Wales.

4.3 The territorial application of this instrument is England.

5. Policy Context

What is being done and why?

5.1 The opportunity to pursue this full county merger in Kent has arisen as a result of the departure of the Senior Coroner for North West Kent on 30 June 2025. The Senior Coroner for Mid Kent and Medway is also currently the Acting Senior Coroner for Central and South East Kent and North East Kent, and will be appointed as Senior Coroner for the new coroner area of Kent and Medway, subject to the necessary statutory consents, to coincide with the coming into force of this Order.

5.2 It is estimated that there will be approximately 5,800 deaths reported annually in the new Kent and Medway coroner area. This is in line with the Chief Coroner's view that each area should have a caseload of approximately 2,000 – 6,000 reported deaths a

year. Kent County Council will be the relevant authority for the new Kent and Medway area and will share the funding of the area with Medway Council.

5.3 This merger is in line with the long-standing Government and Chief Coroner policy of encouraging mergers where they will create larger areas which are better placed to provide a consistent standard of service to bereaved families and will provide economies of scale for local authorities - for example, in sharing staff and other resources and in contracting for mortuary, pathology and other services. The creation of larger coroner areas should not mean reduced access to local services.

What was the previous policy, how is this different?

5.4 The Coroners and Justice Act 2009 (Coroner Areas and Assistant Coroners) Transitional Order 2013 specified the following coroner areas as separate entities: Central and South East Kent, Mid Kent and Medway, North East Kent and North West Kent.

5.5 The change is in line with Government and Chief Coroner policy to merge coroner areas when an appropriate opportunity arises.

5.6 The Order will amalgamate the four previous coroner areas into one larger area which will be coterminous with the Kent county boundary.

6. Legislative and Legal Context

How has the law changed?

6.1 Paragraph 2 of Schedule 2 to the Coroners and Justice Act 2009 (the "2009 Act") allows the Lord Chancellor, by Order, to alter coroner areas (including by combining two or more areas). This is the twelfth Order to be made under this power. Before making such an Order, the Lord Chancellor must consult whichever local authorities (and any other persons) she thinks appropriate.

Why was this approach taken to change the law?

6.2 This is the only possible approach to make the necessary changes.

7. Consultation

Summary of consultation outcome and methodology

7.1 In accordance with paragraph 2(2) of Schedule 2 to the 2009 Act, a targeted consultation was undertaken by the Ministry of Justice on the proposed merger. The consultation was based on a business case for merging and an accompanying equalities impact assessment, which were prepared by Kent County Council as the local authority currently administering the relevant coroner areas. The business cases considered the impact of the proposed merger on delivery of the coroner service (including resource impacts), on those working within it and on associated functions.

7.2 Consultees included relevant local authority officials and Councillors, MPs, coroners (including in neighbouring areas), coroners' officers and administrative staff, police, fire service, hospital trusts, and prisons and faith communities. Recipients were asked a number of questions based on the business case, including whether they agreed with the proposed merger and the assessments made and, if they disagreed, what adverse impacts could they identify. Responses were generally positive and, where negative issues were identified, these were satisfactorily addressed through further engagement with the relevant local authority.

8. Applicable Guidance

8.1 The Chief Coroner has issued guidance on the merger of coroner areas. This guidance is publicly available on the Chief Coroner's website.[1]

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because there is no, or no significant impact on businesses, charities or voluntary bodies. Most of the changes brought about by the merger will enable the streamlining of processes and the countywide standardisation of procedures to simplify, clarify and bring stability to aspects of the coroner process for individuals across the merged area. As set out in the equalities impact assessment which formed part of the consultation, it is not expected that external stakeholders, such as bereaved people, hospital services, and the police, will notice a significant difference compared with the previous arrangements.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The Ministry of Justice will carry out a review of the impact of this instrument 24 months after it has come into force. This will allow time for the changes to take effect, whilst providing the opportunity for any immediate concerns resulting from the merger to be raised at an early stage.

10.2 The instrument does not include a statutory review clause and, in line with the requirements of the Small Business, Enterprise and Employment Act 2015 Minister Alex Davies-Jones has made the following statement:

"In my view the provisions of the Coroners and Justice Act 2009 (Alteration of Coroner Areas) Order 2025 has no significant impact on businesses, charities or voluntary bodies."

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").

[1]Coroner Guidance is available to read at: https://www.judiciary.uk/guidance-and-resources/guidance-no-14-mergers-of-coroner-areas-2/