

POLICY AND RESOURCES

CABINET BOARD

12TH JUNE 2008

DIRECTORATE OF FINANCE AND CORPORATE SERVICES

**URGENT REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC
SERVICES**

INDEX OF REPORT ITEMS

Part 1 - Doc. Code: PRB-120608-REP-FS-DM-U

SECTION A - MATTERS FOR DECISION			
Report Item		Page Nos.	Wards affected
1.	Vacancy of Coroner	1-4	All

SECTION A
ITEM 1

VACANCY OF CORONER

1. **Introduction**

The purpose of this report is to advise Members of a forthcoming vacancy in the office of Coroner and to make arrangements for filling it.

2. **Background**

2.1. The office of Coroner is of a particular nature. Although the Coroner is appointed by the Local Authority acting under the supervision of the Ministry of Justice, the Coroner is not an employee of the Authority but a statutory office holder. Coroners' districts are generally coterminous with Local Authority areas and the Local Authority is responsible for funding the Coroner.

2.2. Central Government has been consulting on the future of the Coroner Service in recent years. A draft Bill was subject to consultation in 2006 but further progress has not been forthcoming albeit that the Government indicated in January of this year that it would be legislating when Parliamentary time was available.

2.3. One feature of this proposed legislation is provision for the compulsory amalgamation of Coroners' districts so that they cover more than one Local Authority area. Currently amalgamation is in practice on a voluntary basis. Central Government has indicated that they would like to see larger Coroners' districts based on a minimum number of cases per annum i.e. that the districts should be large enough to generate business for the Coroner of a specified level.

3. **Vacancy in office of Coroner**

3.1. The Coroner for the district of Neath Port Talbot is Dr. D. J. Osborne. His Deputy is Mr. Gareth Powell and there is also an Assistant Coroner Mr. Martin Probert. Dr. Osborne has indicated his wish to retire. A resignation by a Coroner does not take effect until such time as it is accepted by the Local Authority and the office of Coroner cannot remain vacant for anything more than three months.

3.2. The Ministry of Justice advise local authorities that it is appropriate for them to obtain the assistance of an existing Coroner in making an appointment.

4. **Recommended**

4.1. That the impending vacancy in the office of Coroner be advertised.

4.2. That authorisation be given to the Head of Legal and Democratic Services to engage the services of an experienced Coroner to advise on the appointment.

5. **Reason for Proposed Decision**

To fill the impending vacancy in the office of Coroner.

6. **List of Background Papers**

Correspondence with present Coroner and Ministry of Justice.

7. **Wards Affected**

All

7. **Officer Contact**

For further information on this report item please contact:-
Mr. David Michael – Head of Legal and Democratic Services
E-mail d.michael@npt.gov.uk. Tel: 01639 763368

COMPLIANCE STATEMENT

1. VACANCY OF CORONER

(a) Implementation of Decision

The decision is proposed for implementation after the three day call in period.

(b) Sustainability Appraisal

Community Plan Impacts

Economic Prosperity	-	no impact
Education & Lifelong Learning	-	no impact
Better Health & Well Being	-	no impact
Environment & Transport	-	no impact
Crime & Disorder	-	no impact

(c) Other Impacts

Welsh Language	-	no impact
Sustainable Development	-	no impact
Equalities	-	no impact
Social Inclusion	-	no impact