



Neutral Citation Number: [2024] EWHC 1983 (Admin)

Case No: AC-2024-MAN-000186  
AC-2024-MAN-000187

**IN THE HIGH COURT OF JUSTICE**  
**KING'S BENCH DIVISION**  
**ADMINISTRATIVE COURT**  
**SITTING IN MANCHESTER**

Date of Hand Down: 30<sup>th</sup> July 2024

**Before:**  
**MR JUSTICE FORDHAM**

**Between:**

<b>THE KING (on the application of</b>	<b><u>Claimants</u></b>
<b>(1) MARY CARR</b>	
<b>(2) SEAN GLAISTER)</b>	
<b>- and -</b>	
<b>HM ASSISTANT CORONER FOR NORTH</b>	<b><u>Defendant</u></b>
<b>WALES (EAST AND CENTRAL)</b>	
<b>- and -</b>	
<b>(1) THE FAMILY OF BENJAMIN DAVID</b>	<b><u>Interested Parties</u></b>
<b>LEONARD</b>	
<b>(2) THE SCOUTS ASSOCIATION</b>	
<b>(3) GARETH WILLIAMS</b>	
<b>(4) BRIAN GARRAWAY</b>	
<b>(5) ROSS MALONEY</b>	
<b>(6) JESS KELLY</b>	
<b>(7) TINA WILSON</b>	
<b>(8) STEVEN HOLLOWAY</b>	

**Determination as to Venue**

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THE HON. MR JUSTICE FORDHAM

**MR JUSTICE FORDHAM:**

1. These are claims for judicial review arising out of an inquest which opened on 28 August 2018, in which the inquest hearing was held at the Civil Justice Centre in Manchester on and after 4 January 2024, leading to the decision (22 February 2024) recorded in the Record of Inquest into the death of Benjamin David Leonard. The place of death was Marine Drive, Great Orme, North Wales.
2. I am satisfied that the grounds of claim cross the threshold of arguability.
3. I am also satisfied, in all the circumstances, that the claims were brought with appropriate promptness, as well as within 3 months.
4. As to venue, I am satisfied that the Defendant is not a “Welsh public body” (CPR 7.1A), but rather that the applicable provision is the general expectation is that proceedings will be determined in the region with which the claim has closest connection (CPR PD54C §2.5), and that in the very special circumstances of the case the appropriate venue for dealing with the claim is Manchester. There is support for that course from the parties.
5. No party has submitted that coroners for Welsh areas have been recognised as a “Welsh public body”; nor has any party supplied any material which records or supports that as being the position. The coroner’s area is in Wales (see Coroner and Justice Act 2009 Sch 2 §1) and the appointment (see Sch 3 §2) and funding are through the relevant local authority, albeit with the consent of the Lord Chancellor and Chief Coroner. My attention has been drawn to Jervis on Coroners §19-46 (which reflects PD54C §2.5) and to the absence of coroners from the register of Welsh public bodies (which appears to be non-exhaustive). Coroners for local authority areas are judicially independent office-holders and, as has been submitted, are exercising powers derived from their coronial status.
6. I have noted that the report “Justice in Wales for the People of Wales” (October 2019) made separate and distinct recommendations about judicial review venue in respect of (i) Welsh public bodies (recommendation 24) and (ii) coroners for Welsh areas (recommendation 29). Of these, it is (i) which is reflected in CPR 7.1A. As to (ii), it is PD54C which applies. It is quite right that judicial review claims concerning coroners for Welsh areas “should be capable of being issued and heard in Wales” (Report §6.67). I accept that and that there is a strong interest in that being so. But the position is not rigid. And in this case the inquest hearing was – for good and legitimate reason – held in Manchester as is recorded in the Record of Inquest.
7. I have made directions for this case to be dealt with expeditiously, if possible. But if that is impossible from the parties’ perspectives, I have allowed for further consideration.
8. This is a judicial act and I consider it appropriate in the interests of open justice that these reasons be released in the public domain as a brief judgment.