



Coroners Act 1988

1988 CHAPTER 13

Inquests: special cases

16 Adjourment of inquest in [F1 event of criminal proceedings].

- (1) If on an inquest into a death the coroner before the conclusion of the inquest—
- (a) is informed by the [F2 designated officer for] a magistrates' court under section 17(1) below that some person has been charged before a magistrates' court with—
 - (i) the murder, manslaughter [F3, corporate manslaughter] or infanticide of the deceased;
 - (ii) an offence under [F4 section 1 [F5, 2B][F6, 3ZB] or 3A of the Road Traffic Act 1988 (dangerous driving [F7, careless driving][F8, unlicensed, disqualified or uninsured drivers] or careless driving when under the influence of drink or drugs)] committed by causing the death of the deceased; F9 . . .
 - (iii) an offence under section 2(1) of the M1 Suicide Act 1961 [F10 (encouraging or assisting suicide) in connection with the death of the deceased]; or
 - [F11 (iv) an offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing the death of a child or vulnerable adult); or]
 - (b) is informed by the Director of Public Prosecutions that some person has been [F12 sent for trial for] an offence (whether or not involving the death of a person other than the deceased) alleged to have been committed in circumstances connected with the death of the deceased, not being an offence within paragraph (a) above, and is requested by the Director to adjourn the inquest,

then, subject to subsection (2) below, the coroner shall, in the absence of reason to the contrary, adjourn the inquest until after the conclusion of the relevant criminal proceedings and, if a jury has been summoned, may, if he thinks fit, discharge them.

- (2) The coroner—

Status: Point in time view as at 18/06/2012. This version of this provision has been superseded.

Changes to legislation: Coroners Act 1988, Section 16 is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) need not adjourn the inquest in a case within subsection (1)(a) above if, before he has done so, the Director of Public Prosecutions notifies him that adjournment is unnecessary; and
 - (b) may in any case resume the adjourned inquest before the conclusion of the relevant criminal proceedings if notified by the Director that it is open to him to do so.
- (3) After the conclusion of the relevant criminal proceedings, or on being notified under paragraph (b) of subsection (2) above before their conclusion, the coroner may, subject to the following provisions of this section, resume the adjourned inquest if in his opinion there is sufficient cause to do so.
- (4) Where a coroner adjourns an inquest in compliance with subsection (1) above, he shall send to the registrar of deaths a certificate under his hand stating, so far as they have been ascertained at the date of the certificate, the particulars which under the 1953 Act are required to be registered concerning the death.
- (5) Where a coroner does not resume an inquest which he has adjourned in compliance with subsection (1) above, he shall (without prejudice to subsection (4) above) send to the registrar of deaths a certificate under his hand stating the result of the relevant criminal proceedings.
- (6) Where a coroner resumes an inquest which has been adjourned in compliance with subsection (1) above and for that purpose summons a jury (but not where he resumes without a jury, or with the same jury as before the adjournment)—
- (a) he shall proceed in all respects as if the inquest had not previously been begun; and
 - (b) subject to subsection (7) below, the provisions of this Act shall apply accordingly as if the resumed inquest were a fresh inquest.
- (7) Where a coroner resumes an inquest which has been adjourned in compliance with subsection (1) above—
- (a) the finding of the inquest as to the cause of death must not be inconsistent with the outcome of the relevant criminal proceedings;
 - (b) the coroner shall supply to the registrar of deaths after the termination of the inquest a certificate under his hand stating the result of the relevant criminal proceedings; and
 - (c) the provisions of section 11(7) above shall not apply in relation to that inquest.
- [^{F13}(8) In this section, the “ relevant criminal proceedings ” means the proceedings—
- (a) before a magistrates' court to determine whether the person charged is to be sent to the Crown Court for trial; or
 - (b) before any court to which that person is sent for trial.]

Textual Amendments

- F1** S. 16: words in side note substituted (1.1.2000) by 1999 c. 22, s. 71(3) (with s. 107, Sch. 14 para. 7(2)); S.I. 1999/3344, art. 2(b)
- F2** Words in s. 16(1)(a) substituted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, Sch. 8 para. 302; S.I. 2005/910, art. 3(y)
- F3** Words in s. 16(1)(a)(i) inserted (6.4.2008) by Corporate Manslaughter and Corporate Homicide Act 2007 (19), ss. 26, 27, {Sch. 2 para. 1(2)(b)}; S.I. 2008/401, art. 2

Status:

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