
STATUTORY INSTRUMENTS

1984 No. 552

The Coroners Rules 1984

**PART VI
INQUESTS**

Formality

16. Every inquest shall be opened, adjourned and closed in a formal manner.

Inquest in public

17. Every inquest shall be held in public:

Provided that the coroner may direct that the public be excluded from an inquest or any part of an inquest if he considers that it would be in the interest of national security so to do.

Days on which inquest not to be held

18. An inquest shall not be held on Christmas Day, Good Friday, or a bank holiday unless the coroner thinks it requisite on grounds of urgency that an inquest should be held on such a day, and no inquest shall be held on a Sunday.

Coroner to notify persons of inquest arrangements

19. The coroner shall notify the date, hour and place of an inquest to—

- (a) the spouse or a near relative or personal representative of the deceased whose name and address are known to the coroner; and
- (b) any other person who—
 - (i) in the opinion of the coroner is within Rule 20(2); and
 - (ii) has asked the coroner to notify him of the aforesaid particulars of the inquest; and
 - (iii) has supplied the coroner with a telephone number or address for the purpose of so notifying him.

Entitlement to examine witnesses

20.—(1) Without prejudice to any enactment with regard to the examination of witnesses at an inquest, any person who satisfies the coroner that he is within paragraph (2) shall be entitled to examine any witness at an inquest either in person or by counsel or solicitor:

Provided that—

- (a) the chief officer of police, unless interested otherwise than in that capacity, shall only be entitled to examine a witness by counsel or solicitor;

- (b) the coroner shall disallow any question which in his opinion is not relevant or is otherwise not a proper question.
- (2) Each of the following persons shall have the rights conferred by paragraph (1):—
 - (a) a parent, child, spouse and any personal representative of the deceased;
 - (b) any beneficiary under a policy of insurance issued on the life of the deceased;
 - (c) the insurer who issued such a policy of insurance;
 - (d) any person whose act or omission or that of his agent or servant may in the opinion of the coroner have caused, or contributed to, the death of the deceased;
 - (e) any person appointed by a trade union to which the deceased at the time of his death belonged, if the death of the deceased may have been caused by an injury received in the course of his employment or by an industrial disease;
 - (f) an inspector appointed by, or a representative of, an enforcing authority, or any person appointed by a government department to attend the inquest;
 - (g) the chief officer of police;
 - (h) any other person who, in the opinion of the coroner, is a properly interested person.

Examination of witnesses

21. Unless the coroner otherwise determines, a witness at an inquest shall be examined first by the coroner and, if the witness is represented at the inquest, lastly by his representative.

Self-incrimination

22.—(1) No witness at an inquest shall be obliged to answer any question tending to incriminate himself.

(2) Where it appears to the coroner that a witness has been asked such a question, the coroner shall inform the witness that he may refuse to answer.

Adjournment where inspector or representative of enforcing authority etc. is not present

23.—(1) Where a coroner holds an inquest touching the death of a person which may have been caused by an accident or disease notice of which is required to be given to an enforcing authority, the coroner shall adjourn the request unless an inspector appointed by, or a representative of, the enforcing authority is present to watch the proceedings and shall, at least four days before holding the adjourned inquest, give to such inspector or representative notice of the date, hour and place of holding the adjourned inquest.

(2) Where a coroner holds an inquest touching the death of a person which may have been caused by an accident or disease notice of which is required to be given to an inspector appointed by an enforcing authority, the coroner shall adjourn the inquest unless the inspector or a representative of the inspector is present to watch the proceedings and shall, at least four days before holding the adjourned inquest, give to the inspector or representative notice of the date, hour and place of holding the adjourned inquest.

Notice to person whose conduct is likely to be called in question

24. Any person whose conduct is likely in the opinion of the coroner to be called in question at an inquest shall, if not duly summoned to give evidence at the inquest, be given reasonable notice of the date, hour and place at which the inquest will be held.

Adjournment where person whose conduct is called in question is not present

25. If the conduct of any person is called in question at an inquest on grounds which the coroner thinks substantial and which relate to any matter referred to in Rule 36 and if that person is not present at the inquest and has not been duly summoned to attend or otherwise given notice of the holding of the inquest, the inquest shall be adjourned to enable him to be present, if he so desires.

Request by chief officer of police for adjournment

26.—(1) If the chief officer of police requests a coroner to adjourn an inquest on the ground that a person may be charged with an offence within paragraph (3), the coroner shall adjourn the inquest for twenty-eight days or for such longer period as he may think fit.

(2) At any time before the date fixed for the holding of the adjourned inquest, the chief officer of police may ask the coroner for a further adjournment and the coroner may comply with his request.

(3) The offences within this paragraph are murder, manslaughter or infanticide of the deceased, an offence under section 1 of the Road Traffic Act 1972⁽¹⁾ committed by causing the death of the deceased and an offence under section 2(1) of the Suicide Act 1961 consisting of aiding, abetting, counselling or procuring the suicide of the deceased.

Request by Director of Public Prosecutions for adjournment

27.—(1) If the Director of Public Prosecutions requests a coroner to adjourn an inquest on the ground that a person may be charged with an offence (whether or not involving the death of a person other than the deceased) committed in circumstances connected with the death of the deceased, not being an offence within Rule 26(3), the coroner shall adjourn the inquest for twenty-eight days or for such longer period as he may think fit.

(2) At any time before the date fixed for the holding of the adjourned inquest, the Director of Public Prosecutions may ask the coroner for a further adjournment and the coroner may comply with his request.

Coroner to adjourn in certain other cases

28.—(1) If during the course of an inquest evidence is given from which it appears to the coroner that the death of the deceased is likely to be due to an offence within Rule 26(3) and that a person might be charged with such an offence, then the coroner, unless he has previously been notified by the Director of Public Prosecutions that adjournment is unnecessary, shall adjourn the inquest for fourteen days or for such longer period as he may think fit and send to the Director particulars of that evidence.

(2) At any time before the date fixed for the holding of the adjourned inquest, the Director of Public Prosecutions may ask the coroner for a further adjournment and the coroner may comply with his request.

Coroner to furnish certificate after adjournment

29. A certificate under the hand of a coroner stating the particulars which under the Registration Acts are required to be registered concerning a death which he furnishes to a registrar of deaths under section 20(4)(2) of the Act of 1926 shall be furnished within five days from the date on which the inquest is adjourned.

(1) section 1 was substituted by the Criminal Law Act 1977 (c. 45), section 50.

(2) Section 20 was substituted by the Criminal Law Act 1977, section 56 and Schedule 10, and was amended by the Coroners Act 1980, section 1 and Schedules 1 and 2.

Coroner's interim certificate of the fact of death

30. When an inquest has been adjourned for any reason and section 20(4) of the Act of 1926 does not apply, the coroner shall on application supply to any person who, in the opinion of the coroner, is a properly interested person an interim certificate of the fact of death.

Coroner to furnish certificate stating result of criminal proceedings

31. A certificate under the hand of a coroner stating the result of the relevant criminal proceedings which he furnishes to a registrar of deaths under section 20(5) or section 20(7) of the Act of 1926 shall be furnished within twenty-eight days from the date on which he is notified of the result of the proceedings under section 20(9) or section 20(10) of that Act or, if the person charged with an offence before a magistrates' court as mentioned in section 20(8) of that Act is not committed for trial to the Crown Court, within twenty-eight days from the date on which he is notified under the said section 20(8) of the result of the proceedings in the magistrates' court.

Effect of institution of criminal proceedings

32. Subject to section 20 of the Act of 1926, an inquest shall not be adjourned solely by reason of the institution of criminal proceedings arising out of the death of the deceased.

Coroner to notify persons as to resumption of, and alteration of arrangements for, adjourned inquest

33.—(1) If an inquest which has been adjourned in pursuance of section 20 of the Act of 1926 is not to be resumed, the coroner shall notify the persons within paragraph (4).

(2) If an inquest which has been adjourned as aforesaid is to be resumed, the coroner shall give reasonable notice of the date, hour and place at which the inquest will be resumed to the persons within paragraph (4).

(3) Where a coroner has fixed a date, hour and place for the holding of an inquest adjourned for any reason, he may, at any time before the date so fixed, alter the date, hour or place fixed and shall then give reasonable notice to the persons within paragraph (4).

(4) The persons within this paragraph are the members of the jury (if any), the witnesses, the chief officer of police, any person notified under Rule 19 or 24 and any other person appearing in person or represented at the inquest.

Recognizance of witness or juror becoming void

34. Where any witness or juror who has been bound over to attend at an adjourned inquest, whether without further notice or conditionally on receiving further notice, is notified by the coroner that his attendance at the adjourned inquest is not required or that the inquest will not be resumed, the recognizance entered into by him shall be void.

Coroner to notify Crown Court officer of adjournment in certain cases

35. Where a person charged with an offence within Rule 26(3) is committed for trial to the Crown Court, the coroner who has adjourned an inquest in pursuance of section 20 of the Act of 1926 shall inform the appropriate officer of the Crown Court at the place where the person charged is to be tried of such adjournment.

Matters to be ascertained at inquest

36.—(1) The proceedings and evidence at an inquest shall be directed solely to ascertaining the following matters, namely—

- (a) who the deceased was;
 - (b) how, when and where the deceased came by his death;
 - (c) the particulars for the time being required by the Registration Acts to be registered concerning the death.
- (2) Neither the coroner nor the jury shall express any opinion on any other matters.

Documentary evidence

37.—(1) Subject to the provisions of paragraphs (2) to (4), the coroner may admit at an inquest documentary evidence relevant to the purposes of the inquest from any living person which in his opinion is unlikely to be disputed, unless a person who in the opinion of the coroner is within Rule 20(2) objects to the documentary evidence being admitted.

(2) Documentary evidence so objected to may be admitted if in the opinion of the coroner the maker of the document is unable to give oral evidence within a reasonable period.

(3) Subject to paragraph (4), before admitting such documentary evidence the coroner shall at the beginning of the inquest announce publicly—

- (a) that the documentary evidence may be admitted, and
- (b) (i) the full name of the maker of the document to be admitted in evidence, and
(ii) a brief account of such document, and
- (c) that any person who in the opinion of the coroner is within Rule 20(2) may object to the admission of any such documentary evidence, and
- (d) that any person who in the opinion of the coroner is within Rule 20(2) is entitled to see a copy of any such documentary evidence if he so wishes.

(4) If during the course of an inquest it appears that there is available at the inquest documentary evidence which in the opinion of the coroner is relevant to the purposes of the inquest but the maker of the document is not present and in the opinion of the coroner the content of the documentary evidence is unlikely to be disputed, the coroner shall at the earliest opportunity during the course of the inquest comply with the provisions of paragraph (3).

(5) A coroner may admit as evidence at an inquest any document made by a deceased person if he is of the opinion that the contents of the document are relevant to the purposes of the inquest.

(6) Any documentary evidence admitted under this Rule shall, unless the coroner otherwise directs, be read aloud at the inquest.

Exhibits

38. All exhibits produced in evidence at an inquest shall be marked with consecutive numbers and each number shall be preceded by the letter “C”.

Notes of evidence

39. The coroner shall take notes of the evidence at every inquest.

No addresses as to facts

40. No person shall be allowed to address the coroner or the jury as to the facts.

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Summing-up and direction to jury

41. Where the coroner sits with a jury, he shall sum up the evidence to the jury and direct them as to the law before they consider their verdict and shall draw their attention to Rules 36(2) and 42.

Verdict

42. No verdict shall be framed in such a way as to appear to determine any question of—

- (a) criminal liability on the part of a named person, or
- (b) civil liability.

Prevention of similar fatalities

43. A coroner who believes that action should be taken to prevent the recurrence of fatalities similar to that in respect of which the inquest is being held may announce at the inquest that he is reporting the matter in writing to the person or authority who may have power to take such action and he may report the matter accordingly.