



### New Coroner's rules to streamline inquests now in force

New Coroner's (Inquest) Rules came into force on 25 July 2013, marking the first significant overhaul to the coroner's system in our lifetime.

#### Intention

The Rules change the practice and procedure of inquests which form part of an investigation into a death. Their aim is to streamline the process, reducing costs and reducing the need for many routine inquests where a 'natural causes' verdict is widely anticipated.

The reforms seek to put the needs of bereaved people at the heart of the coroner system and provide a more efficient scheme of investigations and inquests.

#### Main changes

Some of the significant changes to the system under the Coroner's Act 2009 and the Rules include:

- **Inquests are required to be completed within six months or "as soon as is reasonably practicable after that date".**

Inquests that last more than a year must also now be reported to the newly appointed Chief Coroner with reasons for the delay. The argument is that these new timeframes will set realistic expectations and should stamp out unjustifiable delays, whilst still providing flexibility in appropriate cases;

- **The introduction of a new concept of a coroner's 'investigation' into a death, which commences on the date that the coroner is informed of the death.**

Rather than opening and adjourning an inquest, the coroner can wait until later in their investigation to determine whether a formal inquest hearing will be necessary.

This should mean a reduction in the number of inquests that return a 'natural causes' verdict. As part of this investigation, however, a coroner can still issue a 'Rule 43 Report' with the aim of advising how future similar fatalities may be avoided without a formal hearing.

- **A requirement on a coroner to disclose relevant documents in advance of the inquest hearing "as soon as reasonably practicable" (subject to certain exceptions) in a new formalised process.**

The intention is that this will lead to greater effectiveness of pre-inquest reviews and to an increase in bundles of documents being agreed in advance of inquests; and

- **More streamlined case management.**

This will include a requirement for interested persons to be notified of an inquest within seven days of a date being set and formal recognition that coroners can accept evidence given by video-link or from behind a screen, where appropriate.

The appeals process envisaged by the 2009 Act will no longer be implemented and the primary way of challenging a decision will continue to be by way of judicial review.

#### Timings and impact

The Rules came into force on 25 July 2013 and will apply to any Inquest not completed by that date. Decisions made under the old rules will remain valid. The Ministry of Justice intends to review their impact in 18 months' time.

There are concerns that coroner's offices and administrative staff will be stretched in light of the absence of an increased budget to adapt to the changes.

#### Contacts

Ann Metherall leads our Health and Safety team and regularly acts as advocate in Inquests on behalf of clients. Matt Kyle and Hannah Braye are members of our Health and Safety team.



**Ann Metherall**  
Partner  
+44 (0) 117 902 6629  
ann.metherall@  
burgess-salmon.com



**Matt Kyle**  
Associate  
+44 (0) 117 902 7215  
matt.kyle@  
burgess-salmon.com



**Hannah Braye**  
Trainee Solicitor  
+44 (0) 117 307 6291  
hannah.braye@  
burgess-salmon.com