

Questions & Answers about the Coroner

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What to do when a death is referred to a Coroner

In some cases a death may be reported to the Coroner. There are many reasons why this can happen. For example, it may be simply that the person who has died has not seen their doctor for a long time.

This should not give cause for concern and will not necessarily delay the funeral. You should still immediately contact the Funeral Director, who will then be able to explain fully the procedures involved and progress the funeral arrangements.

Please Note: It is not necessary for you to register the death before you make the funeral arrangements

Are all deaths reported to the coroner?

No. In most cases the deceased's own doctor, or a hospital doctor who has been treating the deceased, is able to give a Medical Certificate of the Cause of Death.

When is a death reported to the coroner?

When no doctor has treated the deceased during his or her last illness; or when the doctor attending the patient did not see him or her within 14 days before death, or after death; or

When the death occurred during an operation or before recovery from the effect of an anesthetic; or

When the death was sudden and unexplained or attended by suspicious circumstances; or

When the death might be due to an industrial injury or disease, or to accident, violence, neglect or abortion, or to any kind of poisoning; or

When the death occurred in prison or in police custody.

How is a death reported?

When a person has died under any of the above circumstances, the Police or the doctor in attendance usually reports the death to the coroner. Where no such report has been made, the Registrar of Deaths must make the report. In all cases, the Registrar must await the outcome of the coroner's enquiries before registering the death.

Is an inquest a trial?

No. An inquest is an enquiry which is held to establish the facts of the death. The purpose of the inquest is to ascertain the identity of the deceased, when, where and how the death occurred, and other particulars that have to be registered by the Registrar of Deaths. The inquest does not attempt to allocate responsibility for the death, as a trial would do. In the few cases where an enquiry shows that the death might be due to murder, manslaughter or infanticide, the coroner must send the papers to the Director of Public Prosecutions.

What if somebody has been charged with causing the death?

Where a person has been charged with murder, manslaughter, causing death by reckless driving, complicity in another's suicide, or infanticide, the inquest is adjourned until the conclusion of the criminal proceedings. Before adjourning, the coroner establishes the identity of the deceased and the medical cause of death and sends a form to the Registrar of Deaths to allow the death to be registered.

What about other court proceedings?

Any court proceedings other than those mentioned in the previous answer will normally follow the inquest. When all the facts about the cause of death have been ascertained, then a person may be brought before another court, or a claim for damages made. The inquest may be of help to the family of the deceased in finding out what happened. In the case of a death due to an accident at work, etc., the inquest can also help prevent similar accidents in the future.

Is there always a jury at the inquest?

Not always. If the death may have been caused by an accident or disease of which notice has to be given to the Government (e.g. industrial accident) or if the deceased died in prison or in police custody, then there has to be a jury. In other cases a jury may be summoned at the coroner's discretion. In all inquests held with a jury, it is the jury that returns the verdict.

Must a witness attend court?

Yes. The evidence of a witness may be vital in preventing injustice and penalties may be imposed for failure to attend. A witness may either be asked to attend the inquest or receive a formal summons to do so.

Who decides which witnesses to call?

The coroner decides which witnesses should be asked or summoned to attend and the order in which they should give evidence. Anyone who can give evidence is entitled to come forward at an inquest without being summoned, provided the evidence is relevant to the purpose of the inquest.

Who can question a witness at the inquest?

Any person who has a proper interest (see following answer) may question a witness. He or she may be represented at the inquest by a lawyer. The questions asked are subject to the coroner's approval.

Who is a "properly interested person?"

A parent, spouse or child or any personal representative of the deceased;
Any beneficiary of a policy for insurance on the life of the deceased, and any insurer having issued such a policy;
Any person whose act or omission on the part of himself, his servants or agents, irrespective of whether it may give rise to civil liability, may, in the opinion of the coroner, have caused or contributed to the death of the deceased;
A representative of a Trade Union to which the deceased belonged, should the death have occurred as a result of employment;
The Chief Officer of Police (who may only examine witnesses through a lawyer);
Any person appointed by a Government Department to attend the inquest;
Any other person appearing to the coroner to have a proper interest.

The coroner's office can tell you if you have a proper interest.

Can future deaths be prevented?

If the inquiry discloses a state of affairs which might cause further deaths from the same cause, the coroner can draw attention to this publicly and will report the matter in writing to the appropriate authority.

Will the inquest be reported in the papers?

Every inquest – except those which involve national security – is held in public and the press can be present. The coroner will treat each case with sympathy and respect; however, there may be cases in which the pursuit of justice means private matters are made public. The inquest seeks to present the truth, and can indeed often help to counter untrue stories about the death.

Can the funeral be held before the inquest is finished?

The death can be registered and a Death Certificate issued only after the Registrar of Deaths has received the necessary form from the coroner, or when the inquest has been adjourned after someone has been charged with causing the death. Where there is a difficult inquiry, the coroner may provide an interim certificate of the fact of death. This will usually be acceptable for the payment of insurance money and the administration of the estate.

Does the coroner give permission for organ transplants?

When a death has been referred to the Coroner, they must give consent to the removal of any organ, since the removal could affect important evidence. Consent can usually be given quickly.

Can I obtain a report of the inquest?

A person who has a proper interest in the inquiry may see the notes after the inquest or may have a copy of the notes on payment of the prescribed fee.

Does the coroner have any other functions in relation to a death?

The coroner must be notified in every case when a body is to be taken out of England and Wales (whether or not there has been an inquest), and four clear days allowed for his reply. There is no fee for this. When a body has been brought into England and Wales from another country the coroner must be informed and may help in finding the cause of death and may be required to hold an inquest.

Where can I get more information about the coroner's proceedings?

From the local coroner's office, usually listed in the telephone directory. You may also contact the local police or the Citizens Advice Bureau.