

Draft Regulations laid before Parliament under section 42(8) of the Judicial Review and Courts Act 2022, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2024 No.

CORONERS, ENGLAND AND WALES

**The Coroners (Suspension of Requirement for
Jury at Inquest: Coronavirus) Regulations 2024**

Made - - - -

Coming into force in accordance with regulation 1(1)

The Lord Chancellor makes these Regulations in exercise of the power conferred by section 42(6) of the Judicial Review and Courts Act 2022(1) (“the 2022 Act”).

In accordance with section 42(5) of the 2022 Act, the Lord Chancellor, having assessed the likely effects of the expiry of section 7(5) of the Coroners and Justice Act 2009(2) on the coronial system, considers that it would be expedient for section 7(5) of the Coroners and Justice Act 2009 to continue in force beyond 27th June 2024.

A draft of these Regulations has been laid before, and approved by a resolution of, each House of Parliament in accordance with section 42(8) of the 2022 Act.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Coroners (Suspension of Requirement for Jury at Inquest: Coronavirus) Regulations 2024 and come into force on the day after the day on which they are made.

(2) These Regulations extend to England and Wales.

Extension of suspension of requirement for jury at inquest where coronavirus suspected

2. Section 7(5) of the Coroners and Justice Act 2009—

(a) does not expire at the end of 27th June 2024, but

(1) 2022 c. 35.

(2) 2009 c. 25. Section 7(5) was inserted by section 42(1) of the Judicial Review and Courts Act 2022 (“the 2022 Act”). Pursuant to section 42(3) of the 2022 Act, section 7(5) of the Coroners and Justice Act 2009 expires at the end of the period of two years beginning with the day on which section 42 of the 2022 Act came into force, subject to regulations under section 42(6) of the 2022 Act. Section 42 of the 2022 Act came into force on 28th June 2022.

(b) expires at the end of 27th June 2026⁽³⁾.

Date

Name
Parliamentary Under Secretary of State
Ministry of Justice

⁽³⁾ Section 42(7) of the 2022 Act provides that the expiry day specified in regulations made under section 42(6) of that Act may not be later than two years after the expiry day as it stands immediately before the making of the regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in respect of section 7 of the Coroners and Justice Act 2009 (“the 2009 Act”) (c. 25), which sets out the circumstances in which an inquest into a death must be held with a jury. Pursuant to section 7(2)(c) of the 2009 Act, a jury is required if the senior coroner holding the inquest has reason to suspect that the death was caused by a notifiable disease. Section 42 of the Judicial Review and Courts Act 2022 (c. 35) inserted a temporary subsection, subsection (5), into section 7 of the 2009 Act, with the effect that COVID-19 is not a notifiable disease for the purposes of section 7(2)(c) of the 2009 Act. Subsection (5) expires two years after the commencement of section 42 of the Judicial Review and Courts Act 2022, subject to regulations under section 42(6) of that Act.

These Regulations are made under section 42(6) of the Judicial Review and Courts Act 2022 and provide for section 7(5) of the 2009 Act to expire at the end of 27th June 2026 rather than at the end of 27th June 2024.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.