

1977 No. 1881**CORONERS****The Coroners (Amendment) Rules 1977**

Made - - - - 11th November 1977

Coming into Operation 1st January 1978

The Lord Chancellor, in exercise of the powers conferred on him by sections 26 and 27 of the Coroners (Amendment) Act 1926(a) and with the concurrence of the Secretary of State, hereby makes the following Rules:—

1. These Rules may be cited as the Coroners (Amendment) Rules 1977 and shall come into operation on 1st January 1978.

2. In these Rules the expression “the principal Rules” means the Coroners Rules 1953(b) as amended by the Coroners Rules 1956(c) and by the Coroners (Amendment) Rules 1974(d).

3. For Rule 22(1) of the principal Rules there shall be substituted the following paragraph:—

“22.—(1) If the chief officer of police requests a coroner to adjourn an inquest on the ground that a person may be charged with the murder, manslaughter or infanticide of the deceased, or with an offence under section 1 of the Road Traffic Act 1972(e) committed by causing the death of the deceased, or with an offence under section 2(1) of the Suicide Act 1961(f) consisting of aiding, abetting, counselling or procuring the suicide of the deceased, the coroner shall adjourn the inquest for twenty-eight days or for such longer period as he may think fit.”.

4. After Rule 22 of the principal Rules there shall be inserted the following Rules:—

“22A. 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 section 20(1)(a)(i), (ii) or (iii) of the Coroners (Amendment) Act 1926 (the murder, manslaughter or infanticide of the deceased, an offence under section 1 of the Road Traffic Act 1972 committed by causing the death of the deceased, or an offence under section 2(1) of the Suicide Act 1961 consisting of aiding, abetting, counselling or procuring the suicide of the deceased), the coroner shall adjourn the inquest for twenty-eight days or for such longer period as he may think fit.

(a) 1926 c. 59.

(c) S.I. 1956/1691 (1956 I, p. 520).

(e) 1972 c. 20.

(b) S.I. 1953/205 (1953 I, p. 361).

(d) S.I. 1974/2128 (1974 III, p. 8359).

(f) 1961 c. 60.

22B. 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 murder, manslaughter or infanticide or to be caused by the driving of a motor vehicle on a road recklessly or to be the result of suicide which was aided, abetted, counselled or procured 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.

22C. A certificate under the hand of a coroner stating the particulars which under the Births and Deaths Registration Act 1953(a) are required to be registered concerning a death which he furnishes to a registrar of deaths under section 20(4) of the Coroners (Amendment) Act 1926 shall be furnished within five days from the date on which the inquest is adjourned.

22D. 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 Coroners (Amendment) Act 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 the Act of 1926 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."

5. For Rule 25A of the principal Rules there shall be substituted the following Rule:—

"25A. Where a person charged with the murder, manslaughter or infanticide of the deceased or an offence under section 1 of the Road Traffic Act 1972 committed by causing the death of the deceased or an offence under section 2(1) of the Suicide Act 1961 consisting of aiding, abetting, counselling or procuring the suicide of the deceased, is committed for trial to the Crown Court, the coroner who has adjourned an inquest in pursuance of section 20 of the Coroners (Amendment) Act 1926 shall inform the appropriate officer of the Crown Court at the place where the person charged is to be tried of such adjournment."

6. Rule 26(c) of the principal Rules shall be omitted.

7. For Rule 33 of the principal Rules there shall be substituted the following Rule:—

"33. 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."

8. In Rule 38 of the principal Rules the words from the beginning to "infanticide)" shall be omitted.

9. In Form 18 in Schedule 3 to the principal Rules (form of inquisition) for note (5)(c) (note concerning the verdict in the case of murder, manslaughter or infanticide) there shall be substituted the following:

“(c) in the case of murder, manslaughter or infanticide it is suggested that the following form be adopted—C.D. was killed unlawfully.”.

Elwyn-Jones, C.

1st November 1977.

I concur,

Merlyn Rees,
One of Her Majesty's Principal
Secretaries of State.

11th November 1977.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Coroners Rules 1953. Rule 3 amends Rule 22(1) of the 1953 Rules (power of a chief officer of police to request the adjournment of an inquest on the ground that a person may be charged with certain serious offences) by adding an offence under section 2(1) of the Suicide Act 1961. Rule 4 inserts four new Rules in the Coroners Rules 1953. Rule 22A enables the Director of Public Prosecutions to request the adjournment of an inquest on the ground that a person may be charged with certain offences. Rule 22B provides for the adjournment of an inquest if in the course of it evidence is given which makes it likely that a person might be charged with the homicide of the deceased. Rule 22C provides that the particulars of death under the accelerated registration procedure must be given to the registrar of deaths within five days from the adjournment of the inquest. Rule 22D provides that the result of the relevant criminal proceedings must be given to the registrar of deaths within twenty-eight days of the coroner being notified of the result. Rule 5 substitutes a new rule as to notification to the Crown Court of the adjournment of an inquest for Rule 25A of the Coroners Rules 1953. Rules 6 and 8 delete words which are no longer appropriate (relating to inquisitions charging homicide). Rule 7 amends Rule 33 of the Coroners Rules 1953 (no verdict to determine civil liability) by adding that a verdict may not appear to determine any question of criminal liability on the part of a named person. Rule 9 amends the form of inquisition in Schedule 3 to the Coroners Rules 1953 by substituting a new verdict in homicide cases.

SI 1977/1881
ISBN 0-11-071881-X



780110718811