



# Judicial Review and Courts Act 2022

## 2022 CHAPTER 35

### PART 2

#### COURTS, TRIBUNALS AND CORONERS

### CHAPTER 4

#### CORONERS

#### **40 Power to conduct non-contentious inquests in writing**

- (1) The Coroners and Justice Act 2009 is amended as follows.
- (2) After section 9B insert—

#### **“9C Inquests without jury to be conducted at hearing or in writing**

- (1) Where an inquest into a death is to be held without a jury, the inquest is to be held—
  - (a) at a hearing, or
  - (b) if the senior coroner decides that a hearing is unnecessary, in writing.
- (2) The senior coroner is not to decide that a hearing is unnecessary unless—
  - (a) the coroner has invited representations from each interested person known to the coroner,
  - (b) no interested person has represented on reasonable grounds that a hearing should take place,
  - (c) it appears to the coroner that there is no real prospect of disagreement among interested persons as to the determinations or findings that the inquest could or should make, and
  - (d) it appears to the coroner that no public interest would be served by a hearing.”

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**Changes to legislation:** There are currently no known outstanding effects for the Judicial Review and Courts Act 2022, Section 40. (See end of Document for details)

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- (3) In section 10(1) (determinations and findings required at inquest), for “hearing the evidence at” substitute “considering the evidence given to”.
- (4) In section 45(2) (provision that may be made in Coroners rules), in paragraph (e), for “at” substitute “in the course of”.
- (5) In section 47(2) (interested persons), in paragraph (l), after “attend” insert “or follow”.
- (6) In paragraph 11 of Schedule 1 (resumption of inquests after adjournment)—
  - (a) in sub-paragraph (2), for “The following provisions” substitute “Sub-paragraphs (3) and (4)”;
  - (b) after sub-paragraph (4) insert—
    - “(5) Where an inquest is resumed under this paragraph without a jury (whether or not it had one before the adjournment), the senior coroner must consider, in accordance with section 9C, whether the resumed inquest is to be held at a hearing or in writing.”

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**Commencement Information**

**II** S. 40 in force at 28.6.2022, see s. 51(3)(c)

**Changes to legislation:**

There are currently no known outstanding effects for the Judicial Review and Courts Act 2022, Section 40.