
STATUTORY INSTRUMENTS

2013 No. 1616

The Coroners (Inquests) Rules 2013

PART 4

Management of the inquest hearing

Evidence by video link

17.—(1) A coroner may direct that a witness may give evidence at an inquest hearing through a live video link.

(2) A direction may not be given under paragraph (1) unless the coroner determines that giving evidence in the way proposed would improve the quality of the evidence given by the witness or allow the inquest to proceed more expediently.

(3) Before giving a direction under paragraph (1), the coroner must consider all the circumstances of the case, including in particular—

- (a) any views expressed by the witness or any interested person;
 - (b) whether it would be in the interests of justice or national security to give evidence by video link; and
 - (c) whether in the opinion of the coroner, giving evidence by video link would impede the effectiveness of the questioning of the witness.
- (4) A direction may be given under paragraph (1)—
- (a) on an application by the witness, or in the case of a child witness the parent or legal guardian of that witness;
 - (b) on an application by an interested person; or
 - (c) on the coroner's own initiative.

Evidence given from behind a screen

18.—(1) A coroner may direct that a witness may give evidence at an inquest hearing from behind a screen.

(2) A direction may not be given under paragraph (1) unless the coroner determines that giving evidence in the way proposed would be likely to improve the quality of the evidence given by the witness or allow the inquest to proceed more expediently.

(3) In making that determination, the coroner must consider all the circumstances of the case, including in particular—

- (a) any views expressed by the witness or an interested person;
- (b) whether it would be in the interests of justice or national security to allow evidence to be given from behind a screen; and

- (c) whether giving evidence from behind a screen would impede the effectiveness of the questioning of the witness by an interested person or a representative of the interested person.
- (4) A direction may be given under paragraph (1)—
 - (a) on the application by the witness, or in the case of a child witness the parent or legal guardian of that witness;
 - (b) on an application of an interested person; or
 - (c) on the coroner’s own initiative.

Entitlement to examine witnesses

19.—(1) A coroner must allow any interested person who so requests, to examine any witness either in person or by the interested person’s representative.

(2) A coroner must disallow any question put to the witness which the coroner considers irrelevant.

Evidence given on oath or affirmation

20.—(1) A witness providing evidence at an inquest hearing shall be examined by the coroner on oath or affirmation subject to paragraph (2).

(2) A child under the age of 14, or a child aged 14 or over who is considered by the coroner to be unable to understand the nature of an oath or affirmation, may, on promising to tell the truth, be permitted to give unsworn evidence.

Examination of witnesses

21. Unless the coroner otherwise determines, a witness at an inquest hearing must be examined in the following order—

- (a) first by the coroner;
- (b) then by any interested person who has asked to examine the witness; and
- (c) if the witness is represented at the inquest, lastly by the witness’s representative.

Self incrimination

22.—(1) No witness at an inquest is obliged to answer any question tending to incriminate him or her.

(2) Where it appears to the coroner that a witness has been asked such a question, the coroner must inform the witness that he or she may refuse to answer it.

Written evidence

23.—(1) Written evidence as to who the deceased was and how, when and where the deceased came by his or her death is not admissible unless the coroner is satisfied that—

- (a) it is not possible for the maker of the written evidence to give evidence at the inquest hearing at all, or within a reasonable time;
- (b) there is a good and sufficient reason why the maker of the written evidence should not attend the inquest hearing;
- (c) there is a good and sufficient reason to believe that the maker of the written evidence will not attend the inquest hearing; or

- (d) the written evidence (including evidence in admission form) is unlikely to be disputed.
- (2) Before admitting such written evidence the coroner must announce at the inquest hearing—
 - (a) what the nature of the written evidence to be admitted is;
 - (b) the full name of the maker of the written evidence to be admitted in evidence;
 - (c) that any interested person may object to the admission of any such written evidence; and
 - (d) that any interested person is entitled to see a copy of any written evidence if he or she so wishes.
- (3) A coroner must admit as evidence at an inquest hearing any document made by a deceased person if the coroner is of the opinion that the contents of the document are relevant to the purposes of the inquest.
- (4) A coroner may direct that all or parts only of any written evidence submitted under this rule may be read aloud at the inquest hearing.

Inquiry findings

- 24.—(1) A coroner may admit the findings of an inquiry, including any inquiry under the Inquiries Act 2005(1), if the coroner considers them relevant to the purposes of the inquest.
- (2) Before admitting such inquiry findings as evidence, the coroner must announce publicly that—
 - (a) the findings of the inquiry may be admitted as evidence;
 - (b) the title of the inquiry, date of publication and a brief account of the findings; and
 - (c) that any interested person is entitled to see a copy of the inquiry findings if he or she so wishes.

Adjournment and resumption of an inquest

- 25.—(1) A coroner may adjourn an inquest if the coroner is of the view that it is reasonable to do so.
- (2) The coroner must inform the next of kin or personal representative of the deceased and any other interested persons who have made themselves known to the coroner as soon as reasonably practicable of the decision to adjourn, the date of the decision to adjourn and the reason for the adjournment.
- (3) The coroner must inform the next of kin or personal representative of the deceased and any other interested persons who have made themselves known to the coroner as soon as reasonably practicable of the date, time and place at which an adjourned inquest is to be resumed.
- (4) A coroner must adjourn an inquest and notify the Director of Public Prosecutions, if during the course of the inquest, it appears to the coroner that the death of the deceased is likely to have been due to a homicide offence and that a person may be charged in relation to the offence.

Recording inquest hearings

- 26. A coroner must keep a recording of every inquest hearing, including any pre-inquest review hearing.

(1) 2005 c.12.

No address as to facts

27. No person may address the coroner or the jury as to the facts of who the deceased was and how, when and where the deceased came by his or her death.