

2021 No. 1379

CORONERS, ENGLAND & WALES

The Coroners (Inquests) (Amendment) Rules 2021

<i>Made</i> - - - -	<i>1st December 2021</i>
<i>Laid before Parliament</i>	<i>8th December 2021</i>
<i>Coming into force</i> - -	<i>12th January 2022</i>

The Lord Chief Justice, with the agreement of the Lord Chancellor, makes the following Rules in exercise of the powers conferred by section 45 of the Coroners and Justice Act 2009(a).

Citation, commencement and extent

1.—(1) These Rules may be cited as the Coroners (Inquests) (Amendment) Rules 2021 and come into force on 12th January 2022.

(2) These Rules extend to England and Wales.

Amendment of the Coroners (Inquest) Rules 2013

2.—(1) The Coroners (Inquest) Rules 2013(b) are amended as follows.

(2) In the Schedule, in Form 2 (Record of an inquest), omit note (iii) that begins with the words “The standard of proof”.

Burnett, LJ
Lord Chief Justice

17th November 2021

I agree

Tom Pursglove
Parliamentary Under Secretary of State
Ministry of Justice

1st December 2021

EXPLANATORY NOTE

(This note is not part of the Rules)

The Coroners (Inquest) Rules 2013 regulate the practice and procedure relating to inquests conducted as part of an investigation into a death under the Coroners and Justice Act 2009 (c. 25). This instrument amends one aspect of those Rules, namely, a note in Form 2 in the Schedule. This

(a) 2009 c. 25; subsections 45(1)(b), (c) and 2(i) were repealed by section 33(2) of the Public Bodies Act 2011 (c. 24).

(b) S.I. 2013/1616.

amendment is being made to reflect the decision of the Supreme Court in R (on the application of Maughan) v Her Majesty’s Senior Coroner for Oxfordshire [2020] UKSC 46. The decision in that case confirmed that the standard of proof for the short form conclusions of “unlawful killing” and “suicide” is the civil standard of proof and not the criminal standard of proof. To reflect this, note (iii) in Form 2 (that originally set out the distinction in the standard of proof) is omitted. The civil standard is the default position and accordingly no distinction is needed, and it will apply to all short form conclusions.

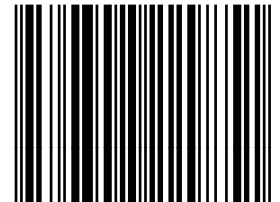
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