



Northern Ireland

Courts and
Tribunals Service

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Coroners Inquest



An Agency within

DOJ

Department of
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serving the community through
the administration of justice

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Inquest

In Northern Ireland most deaths reported to the Coroner do not require an inquest to be held.

What is an inquest?

An inquest is an inquiry into the circumstances surrounding a death. The purpose of the inquest is to find out who the person was and, how, when and where they died, and to establish the details the Registrar of Deaths needs to register the death.

When will I know if an inquest is to be held?

Once the Coroner's investigation into the death has finished, the Coroner will usually decide if an inquest is to be held. This can take some time to complete and is dependent on the circumstances of the death and the final report of the postmortem examination.

The postmortem report may not be received until some weeks after the death and may occasionally be longer depending on whether further tests are required to be made by the pathologists.

If, once the investigation is completed, the Coroner decides that an inquest is not necessary the Coroner will issue a Coroners certificate to the Registrar of Deaths. The Registrar will then ask a relative to call and register the death.

The Coroners Office will be able to keep you informed of the progress of the Coroner's investigation and you should contact the office if you have any questions.

Where will the inquest be held?

If an inquest is necessary it will be held in a courtroom in a courthouse. For the convenience of the family this will usually be the courthouse closest to where the deceased resided.

Is the inquest a trial?

No, an inquest is not a trial, it is a public inquiry by a Coroner sitting with or without a jury into the circumstances of the death.

It is not the role of the Coroner to decide any question of criminal or civil liability, or to apportion guilt or attribute blame.

What is the outcome of the inquest?

The outcome of an inquest in Northern Ireland is in the form of “findings”. These will record the essential facts concerning the circumstances in which the deceased came by his or her death, e.g. “The deceased died from injuries sustained when he lost control of the car he was driving and crashed into a lamp-post”.

Where the Coroner’s investigation shows that a criminal offence may have been committed, the Coroner must send a written report on the case to the Public Prosecution Service.

Also, if an inquest reveals a situation that could cause more deaths, the Coroner may report the matter to the person or authority with the power to take action to prevent similar deaths.

Who attends an inquest?

The Coroner decides who should attend an inquest as a witness. The family and other people entitled to be notified will be told of the date set for the inquest, provided their details are known to the Coroner.

Anyone who believes they may be able to help at an inquest can offer to give evidence by informing the Coroner. Anyone who believes a particular witness should be called to give evidence at an inquest should inform the Coroner of this.

Inquests are open to the public and journalists are also permitted to attend.

Must a witness attend?

Yes, a witness must attend an inquest when directed to do so by the Coroner. A witness may have to pay a fine if they do not attend.

A witness will normally receive a formal summons to attend the inquest. In certain circumstances, at the discretion of the Coroner, a signed statement or other document may be given in evidence at an inquest where a witness does not attend.

Witness expenses may be paid to cover out of pocket expenses incurred by a witness attending an inquest. The Coroners Office will be able to provide details of the rates and expenses that can be claimed.

What happens at an inquest?

Once the inquest has been formally opened by the Coroner, witnesses will first be questioned by the Coroner. Before giving evidence the witness will be asked to take an oath (or make an affirmation) undertaking to tell the truth. Once the witness has answered the Coroner's questions there may then be further questions by 'properly interested persons' or their legal representatives. Questions must be relevant to the purpose of the inquest.

Persons with a 'proper interest' include:

- relatives of the deceased
- the executors of the deceased's will or persons appointed as the deceased's personal representative
- solicitors acting for the next-of-kin
- insurers with a relevant interest
- anyone who may, in some way, be responsible for the death
- others appearing to the Coroner to have a proper interest.

Is there always a jury at the inquest?

No, a jury is only needed if:

- the person died in prison;
- the death may involve a breach of Government regulations such as health and safety;
- the death occurred in circumstances which may affect the health or safety of the public; or
- the Coroner thinks it is necessary to have a jury.

A Coroner's jury is made up of at least seven and not more than eleven people. Jurors are people whose names appear on the Jurors' List as a result of random computer selection from the Electoral Register.

In all inquests that have a jury, the Coroner decides matters of law and the jury decides the findings.

Can I obtain a report of the inquest?

At the discretion of the Coroner "properly interested persons" may see notes of evidence or any document put in evidence at an inquest and may also obtain copies of these on payment of a fee.

Requests for copies of inquest papers should be made in writing to the Coroner at the address below.

Please write to:
Coroners Service for Northern Ireland
Mays Chambers
73 May Street
Belfast BT1 3JL

E-mail: coronersoffice@courtsni.gov.uk
Telephone: 028 9044 6800
Fax: 028 9044 6801

Will the inquest be reported in the newspapers?

All inquests, except those involving national security, are held in public and the press can attend and report the proceedings.

Can the funeral take place before the inquest is held?

A funeral may take place once the Coroner is satisfied that the body is no longer required for the investigation.

Can a death certificate be given before the inquest has been completed?

No, the death can only be registered and a death certificate issued after the Registrar of Deaths has received the necessary certificate from the Coroner following the inquest.

The Coroner will provide on request a “Certificate of Evidence of Death”. This gives details of the person who died and states that the Coroner has ordered a postmortem examination. This certificate may be accepted by some public authorities and financial institutions as sufficient evidence of the deceased’s death until such time as a Death Certificate is available.

What can I do if I am dissatisfied with the outcome of an inquest?

There is no appeal against the findings of an inquest but it is possible to challenge the Coroner’s decisions or findings by way of Judicial Review proceedings. This will almost certainly require the assistance of a solicitor who will be able to advise whether the Coroner’s decision is open to challenge.

Legal Aid

The Legal Aid Green Form scheme is available for legal advice and assistance and the preparatory work undertaken by a solicitor before an inquest.

Legal Aid is not available for representation at an inquest. In exceptional circumstances, public funding may be made available from the Legal Services Commission (see below).

The Lord Chancellor has published Guidance dealing with the availability of funding for inquests. Details are available on the Legal Services Commission web site at www.nilsc.org.uk

The exceptional grant scheme is administered by:

The Northern Ireland Legal Services Commission
2nd Floor, Waterfront Plaza
8 Laganbank Road
Belfast
BT 3BN

Phone 028 90408888

Web: www.nilsc.org.uk

You should contact a solicitor to determine if you are eligible for legal advice and assistance under the Green Form Scheme or if you wish to apply for funding for representation at a Coroner's inquest.

Other Information

A range of information is available on the Coroners Service website at www.courtsni.gov.uk

Feedback and Complaints

The Coroners Service is committed to providing a service which meets the needs of bereaved people and others who come into contact with it. We welcome feedback about people's experiences, including where the service has performed well and would be grateful to receive comments – see contact details below.

If you are dissatisfied with the service received you should contact the Coroners Service in the first instance at:

May's Chambers,
73 May Street,
Belfast,
BT1 3JL
Email: coronersoffice@courtsni.gov.uk
Telephone: 028 9044 6800

Further information on our complaints procedure can be found in our 'Making a Complaint' leaflet which is available at www.courtsni.gov.uk

If your complaint relates to the conduct of the coroner, you should contact:

The Complaints Officer,
Office of the Lord Chief Justice,
Royal Courts of Justice,
Chichester Street,
Belfast, BT1 3JF
Email: judicialcomplaints@courtsni.gov.uk
Telephone: 028 9072 4616

If your complaint is about a legal decision taken by the coroner, you should seek professional legal advice.

Should you require any further information about the NI Courts and Tribunals Service please visit our website at www.courtsni.gov.uk or alternatively contact Central Management Team.

Northern Ireland Courts and Tribunals Service
Central Management Team
Laganside House
23-27 Oxford Street
Belfast BT1 3LA

Phone: 028 9032 8594

Fax: 028 9072 8942

Textphone: 028 9041 2920

Email: communicationsgroup@courtsni.gov.uk

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