



The Coroners Service for Northern Ireland

# Coroners Inquest

serving  
the community  
through the  
administration  
of justice

[www.coronersni.gov.uk](http://www.coronersni.gov.uk)

For further information on the work of the Northern Ireland Court Service please contact

**Northern Ireland Court Service**

Information Centre

Windsor House

Bedford Street

Belfast BT2 7LT

Telephone 028 9032 8594

Facsimile 028 9041 2390

Textphone 028 9041 2920

Email [informationcentre@courtsni.gov.uk](mailto:informationcentre@courtsni.gov.uk)

[www.courtsni.gov.uk](http://www.courtsni.gov.uk)

## **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 Director of Public Prosecutions.

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 a declaration) 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](mailto: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](http://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**  
**[www.nilsc.org.uk](http://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.

## Courts' Charter

### **When you come to court, you can expect:**

- the court building to be open by 9am;
- the offices to be open to the public normally from 9.30am to 1pm and from 2pm to 4.30pm;
- polite and helpful staff; and
- clear signs.

### **When you go to a public counter, we will:**

- respect your privacy and discuss any confidential business in private; and
- see you within 10 minutes and if you have to wait longer, a member of staff will explain why.

### **When you phone a court office, you can expect:**

- your call to be answered within 30 seconds;
- to be given the name of the court official; and
- the court official to be clear and helpful.

### **When you write to the court, we will:**

- acknowledge receipt of your letter and send you a reply within 15 working days; and
- give the name of a court official and contact telephone number.

If you ask, we will give you the appropriate forms and show you how to fill them in.  
We cannot give you legal advice or tell you what to say.

### **Helping us improve our service**

We want to know how you think we have done and your suggestions on how we might improve. There are comment cards in the main hall of each building.

### **Disabled court users**

The Customer Service Officer or any other member of Court Service staff will be able to give you information about the facilities that are available for disabled people. A separate leaflet '*Information for Disabled Customers*' is also available. To obtain a copy of this leaflet, ask a member of Court Service staff or contact the Information Service at the address on the back of this publication:

### **Other information**

There are copies of other Courts' Charter leaflets on our work in every building. If you need more information about our work, you can contact the address on the back of this publication.

## **Complaints**

The Northern Ireland Court Service respects the views of all court users. A separate leaflet

*'Making a complaint about the Northern Ireland Court Service'* provides information on how to make a complaint. To obtain a copy of this leaflet, ask a member of Court Service staff or contact the address on the back of this publication.





For further information on the work of the Northern Ireland Court Service please contact

**Northern Ireland Court Service**

Information Centre  
Windsor House  
Bedford Street  
Belfast BT2 7LT

Telephone 028 9032 8594  
Facsimile 028 9041 2390  
Textphone 028 9041 2920  
Email [informationcentre@courtsni.gov.uk](mailto:informationcentre@courtsni.gov.uk)  
[www.courtsni.gov.uk](http://www.courtsni.gov.uk)