



Frequently Asked Questions

The information given on this website with regard to the way in which the Coroner runs an inquiry relates only to the Leicester City and South Leicestershire Coroners service.

What do I do if someone dies suddenly?

Contact your G.P or the local police.

The Coroner's Officer will arrange for a local Funeral Director to attend to move the deceased. In most cases the deceased's own doctor or a hospital doctor will be able to give a medical cause of death. If the death occurs at night or at a weekend there may be a delay in contacting the deceased's GP.

Once the Coroner's involvement has ceased **you are not obliged** to retain the services of the Funeral Director, appointed by the Coroner, to organize the funeral unless you wish to do so.

Why are the police involved?

The police act as Coroner's Officers, although the officer may be in uniform, in this instance he/she will not be acting as a police officer (it is not always possible for an officer to be in plain clothes). A visit by the police should not make people think there is anything suspicious about the death.

The purpose of the visit is to obtain the information that the Coroner needs to conduct his enquiries and to provide the correct personal information to the Registrar. You will be given a telephone number for the officer and will be able to ask her/him any questions you might have regarding a [post-mortem](#) (links to What is a Post-mortem) or [inquest](#) (Links to Why hold an Inquest?). An inquest is not always necessary after a post-mortem. A copy of the DCA leaflet [Download When sudden death occurs: coroners and inquests \(Ministry of Justice\) \(PDF, 146K\)](#) (Links to .pdf form DG_170413.pdf) on post-mortems and inquests will be supplied.

The duties of a Coroner's Officer are:

- To liaise with the family regarding the procedures involved in the conduct of the Coroner's inquiry.
- To contact the Coroner on your behalf if you so wish and to guide you through the time leading up to an Inquest if one is necessary.
- To liaise with the witnesses regarding their involvement in the Inquest

What happens if someone dies in Scotland or abroad?

When the body of the deceased arrives within the County, the Coroner's jurisdiction arises and the death is then treated in exactly the same way as if the death had occurred here, rather than abroad. The only difference is that the Death Certificate will be issued in the country where the death occurred rather than by the Registrar here.

What happens if I wish to move the body of the deceased out of England and Wales?

The Coroner must give permission (an "Out of England Order") for a body to be moved out of England or Wales. This permission has to be obtained at least four days before the body is to be moved (although the Coroner may be able to give permission sooner) so that any necessary enquiries may be carried out. The Funeral Director will make all the necessary arrangements.

Permission must be obtained whenever the funeral is to take place outside England or Wales.

This procedure applies in **all** cases where the body is to be moved out of England or Wales, not just where a death was reported to the Coroner.

What if the deceased dies unexpectedly in hospital?

If the death occurs in hospital, the coroner will arrange for the postmortem examination to be carried out by a pathologist other than one employed at or connected with that hospital, if a relative asks the Coroner to do so and if it does not cause an undue delay.

Why is the Coroner Involved?

The Coroner has a duty to investigate and record the details of any sudden death where the cause is not known, violent or unnatural deaths and any deaths whilst the deceased was in lawful custody.

A death may be reported for a number of reasons. It does not mean that there is anything suspicious about the death, it may be that the Doctor is unsure of the exact cause or that the person has died earlier than expected, suffered from an industrial disease, died during a surgical operation, or before recovery from an anaesthetic.

When a death is reported to the Coroner he may

- be satisfied by the doctor as to the cause of death and proceed no further
- decide to carry out a post-mortem, and on the results of that examination decide not to hold an inquest
- hold an inquest after a post-mortem examination
- hold an inquest without a post-mortem if the deceased was known to have died from a previously diagnosed industrial disease e.g. Mesothelioma

[MOJ leaflet "The Work of the Coroner"](#) (links to .pdf form DG_170411.pdf)

What is a post-mortem?

This is an examination to determine the medical cause of death. In some cases organs or tissue samples may be retained for further investigation. The post-mortem will be carried out by a consultant pathologist (when a young child dies a paediatric pathologist will carry out the examination).

Why have a post-mortem?

If the deceased's own GP or the hospital doctor cannot give a medical cause of death then an examination must take place to determine the cause.

Can I object to a post-mortem?

No. The Coroner has a legal duty to ascertain the cause of death, and if the Doctor cannot satisfy the Coroner of this a post-mortem examination must take place.

Who organises and pays for the transport of the deceased to and from the post-mortem?

The Coroner's officer will organise the removal of the deceased to and from the hospital. The Coroner's office will pay for this service.

You are not obliged to retain the services of the Funeral Director appointed by the Coroner to transport the body of the deceased to and from the hospital. You may appoint a Funeral Director of your choice to organise the funeral.

What happens if the deceased wished to be an organ donor?

Donation of organs is regulated by the **[Human Tissue Authority](http://www.hta.gov.uk/)**. (links to <http://www.hta.gov.uk/>) Further information on frequently asked questions related to this topic can be found on the **[FAQ - Coroner](http://www.hta.gov.uk/licensingandinspections/sectorspecificinformation/coroners/coronersfaqs.cfm)** (Links to <http://www.hta.gov.uk/licensingandinspections/sectorspecificinformation/coroners/coronersfaqs.cfm>) page of the Human Tissue Authority website.

You and the Coroner will liaise with the Doctor or hospital so that the necessary arrangements can be made as soon as possible. The desire to donate organs must not however impede the Coroner's duty to ascertain the cause of death.

A medical certificate must be issued before any organs can be removed or the body used. It is usual for kidneys, and essential for heart, lungs, liver and pancreas, to be removed from donors who have been certified to be brain stem dead and whose breathing and hence heartbeat, are maintained by a ventilator in a hospital intensive care unit.

Kidneys can, very rarely, be removed up to an hour after heart death. Other organs can be removed up to the following times after heart death:

- the corneas (from the eyes) - up to 24 hours
- skin - up to 24 hours
- bone - up to 36 hours
- heart valves - up to 72 hours

The doctor attending will advise on the procedure. After organ donation, the body is released to the relatives. If the whole body is to be donated contact the [Human Tissue Authority](http://www.hta.gov.uk/). (links to <http://www.hta.gov.uk/>) Consideration will be given to the place and cause of death, the condition of the body at the time of death and demand in the medical schools. The body may be accepted. Bodies may be refused if there has been a post-mortem or if any major organs except the cornea have been removed.

If the body is to be used for teaching purposes.

A body may be kept for medical teaching purposes for up to three years. The medical schools will arrange and pay for a simple funeral, or the relatives can do this themselves. The medical school can advise relative when the body is available for funeral.

Why are organs sometimes removed from the body of the deceased and what happens to these?

Sometimes the Pathologist needs to carry out a more detailed investigation of particular organs in order to establish the cause of death. If he /she does this then the Pathologist must tell the Coroner for how long the organs should be retained. The Coroner will notify the family of this and ask them to tell him what they wish to happen to the organs at the end of that period. Usually, the Pathologist only needs to take a very small sample of an organ, rather than removing the organ itself. This sample then forms part of the deceased's medical records.

Do I have to accept the result of a post-mortem?

No. You can ask the Coroner for a second post-mortem but this will be at your cost and you will need to make all the arrangements yourself.

Will a post-mortem delay the funeral?

Not usually. The Coroner and Pathologist understand the desire on the part of the family to deal with matters expeditiously, particularly in cases where the religious or cultural beliefs of the family require a funeral to be held within a particular time period. However there are some cases where a slight delay occurs. In such cases an explanation will be given to the family together with an estimate of how long the delay will be. In cases where an organ is removed for further examination the body of the deceased is normally released to the family immediately so that the funeral can be held without further delay, although, of course, the organ itself will have to be returned later.

Can I have a copy of the post-mortem report?

The Coroner will usually supply a copy of the report to "properly interested" persons (immediate family, legal representatives of involved in the inquest) on application. The Coroner's Officer will usually explain the main points of the report to the family as soon as it is available. Your G.P. will be able to answer questions in more detail.

When can I get a death certificate /Interim Death Certificate?

- **When the Coroner is given a cause of death** by the doctor, the doctor and the coroner will notify the Registrar of the death. This will happen normally within 24hrs. You may then ring the Registrar to make an appointment to visit the Registrar and register the death. You must do this in person. (Registration Telephone 0845 6032859)
- **If the Coroner has decided to hold a post-mortem** when he receives the report, does not require an inquest to be held, he will send a certificate to the Registrar to register the death. (This happens usually within 24hrs of the report being received by the Coroner). The Coroner's Officer will have told you the main points of the report and will tell you where when and how you may obtain a certificate.
- **If the Coroner has decided hold an inquest** then a full death certificate will not be available until after the inquest is concluded. However to enable the family to deal with banks, insurance companies, pension provider, National Savings, or any other body which needs official confirmation of the death the coroner will, on request, issue an Interim Certificate as to the Fact Of Death, more commonly known as an *INTERIM DEATH CERTIFICATE*. The interim certificate is not a death certificate. Three copies of this are supplied to the next of kin once the Inquest has been opened. Do not send all 3 away – keep one copy in case you need to have certified copies made for other institutions. Certified copies can be obtained from a solicitor.

Where do I get a death certificate?

Death certificates are issued by the local Registrar of Births, Deaths and Marriages.

Why hold an inquest?

The Coroner is required to establish who died, where, when and how.

"How" is defined as both the medical cause of death and the way in which the death came about.

The Coroner must also reach a conclusion or verdict about such deaths, (e.g. accident, misadventure, suicide etc.)

The Coroner is NOT concerned with matters of fault or blame.

Where needed an Inquest will be opened to take evidence of identity and brief circumstances before being adjourned to allow a full investigation to be

conducted. The Inquest is then resumed when the Coroner will consider (in public) all the evidence before making the findings that the law demands.

When will the Inquest be held?

Usually the enquiries into the death can be completed within 8 weeks and a file is delivered to the Coroner. The Inquest is generally held within a further 4 weeks. However, there are some cases where the investigation takes rather longer. In Leicester City and South Leicestershire the vast majority of Inquest are held within 6 months of the death and, wherever possible, within three months.

Where will the Inquest take place?

The Inquest will be held at the Coroner's Court in the Town Hall in Leicester.

Information on the court facilities and how to get there is available on the [How To Find Us](#) (link to how to find us page) page

Do I have to go to the Inquest?

You are only obliged to attend an inquest if you have received a witness summons to attend. It is an offence to disregard the summons.

What happens in an Inquest?

The Coroner will explain how the Inquest is to be conducted. She will then determine who is present and if there is any legal representation. Evidence is then given either:-

- on oath by witnesses in person
- by statements being read into evidence by the Coroner
- from reports, plans or other documents with which the Coroner has been provided
- the Coroner will then consider all the evidence and reach her conclusions
- the Coroner will record the details required by the Registration Act which will allow her to register the death on behalf of the family

Can members of the family speak at the Inquest?

Yes. The Coroner will give you the opportunity to comment either formally, by giving sworn evidence, or informally. She will ask you if you have any questions for individual witnesses or about the content of any statement or document which is read out.

You will be given the opportunity to add anything you feel might be relevant to the Coroner's understanding of the situation. The Coroner will then assess the evidence and announce publicly, her findings.

You may be asked to confirm certain personal details of the deceased as required by the Registration Acts to enable the Coroner to register the death.

Why do some Inquests have a jury?

The Coroners Act 1988 requires a jury in certain types of case. The majority of Inquests are conducted by the Coroner alone. Although the procedure with a jury Inquest is rather different the function and purpose of the Inquest remains the same.

What does it mean if I am called to serve on a Coroner's jury?

The function of the jury is to find the facts required by the Coroners Act i.e. who the deceased was, how when and where the deceased met his/her death. The Coroner is responsible for deciding matters of law and procedure whilst the jury is responsible for determining the facts of the matter.

You will swear an oath to "give a true verdict according to the evidence". **If you require a Holy Book other than the Christian Bible on which to swear the oath please inform the Coroners Office in advance of the Inquest.**

The Coroner will explain at the start of the Inquest everything that is expected of the jury in dealing with the case.

You will be able to claim allowances at prescribed rates for travelling, subsistence and for financial loss (such as loss of earnings) if you are called to serve on a jury.

[Click here for information provided by the Ministry of Justice](#) (Link to .pdf form DG_170412.pdf)

Will I / the family need a solicitor?

It is not usually necessary to be legally represented at an Inquest because an Inquest is an inquiry conducted by the Coroner and not a trial. You may wish to be legally represented at the Inquest. You can take advice from any firm of solicitors or Advice Centre as to the best way of dealing with this. The Coroner cannot advise you on which solicitor you should consult.

What does it mean if I am called as a witness?

Witnesses are called to the Inquest to tell the Coroner what they know or what they saw or did in connection with the death that the Coroner is investigating. This may be because you witnessed the incident in which the deceased died or because you have information that explains why certain things were done which shed light on the circumstances surrounding the death.

Witnesses give evidence on oath, either by swearing on a Holy Book to tell the truth or by making a solemn declaration (called an Affirmation) that the evidence to be given is the truth.

If, having sworn to tell the truth, false evidence is given, then the criminal offence of perjury is committed. The Coroner and the Courts always view this seriously. A witness who commits perjury will be reported to the police with a view to prosecution.

If you require a Holy Book other than the Christian Bible on which to swear the oath please inform the Coroners Office in advance of the Inquest.

The Coroner questions the witness so that the evidence, which the witness can give, is fully explored. After the Coroner's questions the family or other properly interested persons may, with the consent of the Coroner, ask questions.

How long will I have to wait for the Inquest?

Usually the enquiries into the death can be completed within 8 weeks and a file is delivered to the Coroner. The Inquest is generally held within a further 4 weeks. However, there are some cases where the investigation takes rather longer. In Leicester City and South Leicestershire the vast majority of Inquest are held within 6 months of the death and, wherever possible, within three months.

If there is a criminal prosecution in relation to the death then (depending upon the charges brought) the Inquest will be adjourned until the outcome of those proceedings is known. Depending upon the nature of those proceedings (e.g. a murder trial) the Coroner may decide that it is not necessary for the Inquest to be resumed because all the information that the Coroner needs has been disclosed in the course of that trial. The Coroner, in such a case, will then register the death as if an Inquest had been held. Information regarding the Inquest can be obtained from this site.

I / the family have to accept the verdict of the Inquest?

It is sometimes possible to challenge the verdict of the Inquest by way of an application to the High Court for a judicial review. You should take legal advice about such a course of action as soon as possible after the Coroner has made a decision.

Will the press be present?

Yes. An Inquest MUST be held in public. The media are not entitled to any more information than that which is given in court.

How do I research Inquests that have been completed or deaths that have occurred?

Information about Inquests opened after the 1st August 2007 are to be found on this site. Information about earlier Inquests can be obtained by [e-mailing your request](#) (Link to secure e-mail address for the coroner) to the

Coroner giving your full contact details and details of the information you require or contacting the Coroner's Court Office.

Information on deaths not subject to an Inquest can be obtained from the Registrar.

If the deceased person was the subject of a postmortem examination then enquiries should be addressed to the Coroner's office.

The Coroner will need to be satisfied that you are a properly interested person before any information can be released to you. If you require copies of any documents held by the Coroner then a charge will be made for provision of such copy documents.

What must I do if I think that I have found Treasure?

The Treasure Act 1996 (links to http://www.opsi.gov.uk/acts/acts1996/ukpga_19960024_en_1) requires a person finding an object which he/she has grounds to believe to be Treasure to report the find to the Coroner within 14 days. Failure to do so is a criminal offence. Treasure is defined by the Act itself.

What involvement does the Coroner have with Treasure?

The Coroner will take advice from the British Museum as to whether or not the item is Treasure and will hold an Inquest if necessary to determine the facts of the find and the nature of it.

If the item is held to be Treasure then the British Museum may seek to claim it on behalf of the Crown.

Who Are 'Properly Interested Persons'?

They are the people who have a right to participate in the Inquest, by receiving copy statements and asking questions at the hearing and are known as Properly Interested Persons.

The Coroners Rules 1984 (Rule 20) sets out a list of who falls within this definition.

The Coroners Rules 1984 (Links to <http://www.kcl.ac.uk/depsta/law/research/coroners/1984rules.html>)

The Coroners Act 1988 (links to http://www.opsi.gov.uk/acts/acts1988/ukpga_19880013_en_1)

Or click here to download the **Coroners Act 1988** (links to .pdf document ukpga_19880013_en.pdf)