

WHO INVESTIGATES SUDDEN DEATH?

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GRESHAM
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How would we want deaths to be investigated?

- The investigator should be independent.
- The investigator should be competent and qualified.
- The investigator should have adequate resources.
- The investigation should be fair.
- The investigation should involve the family.
- The investigation should be transparent.

Who is involved in investigating deaths?

- Coroners
- Police
- Independent Office for Police Conduct
- Prisons and Probation Ombudsman
- NHS Trusts
- Public inquiries
- The media
- Bereaved families

An ancient office

*" lord and sire,
Full often time was knight of the shire,
A schreve had been, and a Coronour!"*

Geoffrey Chaucer, quoted in John Jervis on Coroners 1st edition
1829

The Luce report: what was wrong with coroners?

- No supervision or national leadership
- Lack of clear participation rights for bereaved families
- No training for coroners or coroners' officers

What did the Luce report recommend?

- A national coronial service made up of full-time, legally qualified professionals, headed by a Chief Coroner
- A Family Charter for bereaved families
- A legally qualified coroner and a doctor working as Statutory Medical Assessor
- A single process of death certification
- More informative and accessible outcomes for inquests
- A proper recognition of the work of coroners' officers

Missed opportunities for change

“Under the current coroner service, families frequently get overlooked during the inquest process. There is nowhere for them to turn when they think that something is going wrong; there is no complaints system. The system is fragmented, with no national leadership, and it is not accountable. We have no overview of the system as a whole, or of individual cases. Moreover, the system is not properly accountable to this House, which it should be. Standards are not uniformly good; everything rests too much on the personal qualities and abilities of individuals within the system. The legal framework is downright archaic.”

- Harriet Harman QC MP

When does a coroner need to investigate a death?

- If the deceased died a violent or unnatural death;
- If the cause of death is unknown; or
- If the deceased died in custody or state detention.

What does the inquest decide?

- Who the deceased was and how, when and where they came by their death
- Non-Article 2 inquests: "By what means" they came by their death
- Article 2 inquests: "In what circumstances" they came by their death

When is a jury needed?

- When a person dies in custody or state detention, and their death was violent or unnatural or the cause was unknown
- Where the death resulted from the acts or omissions of police officers in the purported execution of their duty
- For notifiable accidents and diseases

The problems persist

- Inadequate facilities and staff
- Perceived lack of independence
- Lack of consistency
- Lack of transparency in appointments
- Lack of respect for families (e.g. around the post-mortem)

How to improve the coronial system

- A national coronial service
- A right of appeal to the Chief Coroner
- Non-means-tested legal aid for families
- Transparent appointments
- Inquests instead of inquiries
- Juries in every Article 2 inquest