

The Coroner Service: recommendations and responses

The following table records the response to the Committee's recommendations in the 2021 report into the Coroners Service in England and Wales.

Essential Documents:

- [The Coroner Service: First Report of the Session 2021-22](#)
- [The Coroner Service: Government Response to the Committee's First Report: Third Special Report of Session 2021–22](#)
- [Response of the Chief Coroner](#)
- [Letter from the Lord Chancellor 7 December 2023](#)
- [Letter from the Minister for Courts and Legal Services 7 December 2023](#)

Last updated: **14 December 2023**

	Recommendation	Addressed to	Government response
1	We encourage the new Chief Coroner to continue the work begun by his predecessor by extending appraisals to all coroners (para 29)	Chief Coroner	Accepted. “...reviewing plans to implement an appraisal system for senior coroners in order to decide the best way of delivering it.”
2	The Ministry of Justice should amend the Coroners and Justice Act 2009 (as requested by the outgoing Chief Coroner) to make it easier to merge areas (para 32)	Ministry of Justice	Accepted Enacted in the Coroners and Justice Act 2009, Sch 22, para 1A (inserted by Judicial Review and Courts Act s 43)
3	We recommend the MoJ immediately publish its 2015 review of the effectiveness of the Coroners and Justice Act 2009 (para 37)	MoJ	Not accepted
4	We encourage the new Chief Coroner to continue the work of his predecessor in liaising with stakeholders, including faith representatives, so that any problems with expediting cases can be identified and addressed as they arise (para 53)	Chief Coroner	Accepted
5	We encourage all Senior Coroners to make sure that the updated Guide to the Coroner Service for Bereaved People is freely available both online and, where requested, in hard	All Senior Coroners	Accepted (although “it is for the Ministry of Justice to organise the online availability of the Guide”)

	copy by post and is offered to people who have been bereaved as soon as it has been decided that a post-mortem is needed (para 58)		
6	The Ministry of Justice should as a matter of urgency provide funding for support services for bereaved people at inquests (such as those provided by the Coroners Courts Support Service) so that this support is available in every Coroner Area (para 66)	MoJ	Government response 2021: Currently unable to accept this recommendation as further detailed work needs to be undertaken to understand the affordability and legal and commercial issues in delivering it
7	We encourage Senior Coroners to make sure that bereaved people are made aware by their staff of the specialist support organisations that are available to them both locally and nationally (para 67)	Senior Coroners	Accepted
8	The Ministry of Justice should implement a statutory Charter of Rights for bereaved people, modelled on the criminal justice system's victims' code (para 73)	MoJ	Letter from the Lord Chancellor 2023: The Government has signed the Charter for Families Bereaved through Public Tragedy proposed by Bishop James Jones.
9	We encourage the new Chief Coroner to strengthen guidance and training on disclosure and pre-inquest reviews, emphasising to coroners that bereaved people should be told about their rights to	Chief Coroner	"... in the process of considering this recommendation and I will provide an update to the Committee in due course"

	documents early in the process (para 73)		
10	The Ministry of Justice should amend the Coroners' rules to make it patently clear that the duty of candour extends to the Coroner Service. The Government should consider whether a similar duty to be candid at inquests should be extended to all public bodies (para 81)	Government	Letter from the Lord Chancellor 2023: No plans to amend the Coroners' rules. However, the Criminal Justice Bill 2023 introduces an organisational duty of candour for chief officers of police. Government will also conduct a review into the effectiveness of the duty of candour for health and social care providers. "we are not ruling out bringing forward further legislation if we think this is needed to drive improvements".
11	The Ministry of Justice should by 1 October 2021, for all inquests where public authorities are legally represented, make sure that non-means tested legal aid or other public funding for legal representation is also available for the people that have been bereaved (para 103)	MoJ	Government response 2021: Agreed in part; not responding in part. Removed the means test on application for ECF in relation to legal representation at inquests (provision in force from 12 January 2022). Letter from the Lord Chancellor 2023: "Cabinet Office will issue guidance setting an expectation that central government public bodies and their sponsoring departments will publish their spend on legal representation at inquests; reaffirming that spend on legal representation should be proportionate and not excessive; and reminding departments to ensure that the lawyers they instruct engage with inquests in accordance with the Charter and the protocol published by MoJ in 2020 to guide Government's approach when it holds interested person status".
12	The Ministry of Justice should introduce a system of appeals similar to that in Section 40 of the Coroners and Justice Act 2009 as originally enacted (para 113)	MoJ	Not responding Govt accepts there is merit in considering the original Section 40 and whether there is a need for an additional mechanism to enable more decisions to be appealed
13	The Government should consider adopting the Chief Coroners proposed amendment to Section 13 with the	MoJ	Accepted Will seek to introduce this measure into legislation when Parliamentary time allows

	caveat that the High Court could use the new power only with the consent of the interested party applying under Section 13 (para 116)		
14	The Ministry of Justice should revive the consultation on coronial investigation of stillbirths and publish proposals for reform (para 118)	MoJ	Accepted Summary of Consultation responses published December 2023. “Going forward, the Department of Health and Social Care (DHSC) and the Ministry of Justice (MoJ) will work together to explore the issues raised by consultees. Upon full consideration, a further statement will be issued that sets out whether and, if so, how coroners will investigate stillbirths.”
15	The Ministry of Justice should immediately review and increase Coroner Service fees for pathologists, so they enough to ensure an adequate supply of pathology service to the Coroner Service (para 135)	MoJ	Not accepted
16	In the medium term the Ministry of Justice should work with the Department of Health and Social Care so that pathologists’ work for coroners is planned for within pathologists’ contracts with NHS trusts (para 136)	MoJ, DHSC	Accepted
17	In the longer term the Ministry of Justice should broker an agreement between relevant government departments and the NHS (in England and Wales) for the establishment and	MoJ	Not responding MoJ and other Govt Depts will engage with NHS to consider this proposal

	co-funding of regional pathology centres of excellence (para 137)		
18	The Ministry of Justice should unite coroner services into a single service for England and Wales (para 157)	MoJ	Not accepted
19	The Ministry of Justice should create a Coroner Service Inspectorate (para 166)	MoJ	Not accepted at this stage Govt will look further into this and consider options for taking the recommendation forward
20	Consequent upon the establishment of a national service and an inspectorate, there should be a review of the mechanisms available for handling complaints against coroners (para 167)	MoJ	Not accepted
21	The Ministry of Justice should introduce an automatic entitlement to non-means tested legal aid for legal representation for bereaved people at inquests into mass fatalities (para 180)	MoJ	Government response 2021: Agreed in part; not responding in part Removed means-testing for ECF applications (see above). Letter from Lord Chancellor 2023: In 2024 Govt will consult on expanding the scope of legal aid to include bereaved families following a major incident in which the Independent Public Advocate (IPA) has been deployed and following terrorist attacks.
22	The Ministry of Justice should consider setting up an independent office to report on emerging issues raised by coroners and juries; and liaise with regulators (for example the Health and Safety Executive, the Care Quality Commission, Highways Authorities and Air and Rail	MoJ	Not accepted at this stage Will consider options alongside recommendations on an Inspectorate of Coroner Services.

	safety bodies) and others, to follow up on actions promised to coroners and to report publicly where insufficient action has been promised or implemented. As an alternative a new Coroner Service Inspectorate could be given this role (para 207)		
23	The Ministry of Justice should provide funding so information about the risks to public safety discovered by coroners and inquest juries is freely available online, along with the actions that have been proposed in response. The MoJ should ensure that this information is well-organised and easily searchable (para 208)	MoJ	Government response 2021: Not accepted at this stage Will work with the Chief Coroners Office to consider appropriate resources required to deliver this. Chief Coroner's response: " My office is actively reviewing how Prevention of Future Death reports are presented. ... This work requires resources and I will work with the Ministry of Justice to consider all these issues carefully."
24	The Ministry of Justice should liaise with the Chief Coroner and consider what central government support may be needed to help the Coroner Service to recover from the pandemic (para 221)	MoJ, Chief Coroner	Government response 2021, and Chief Coroner's response: Accepted MoJ officials continue to engage with Chief Coroners Office. £6bn in grant funding to Local Authorities. Measures in the Judicial Review and Courts Act 2022, and the Police, Crime, Sentencing and Courts Act 2023.
25	We encourage the Chief Coroner to collect information from each Coroner Service Area on the challenges they face because of the pandemic and communicate the	Chief Coroner	Chief Coroner's response: "Working with the Ministry of Justice, my office supported recent enquiries of all coroner areas asking them for information on how they were scheduling jury and non- jury complex inquests due to the logistical challenges social distancing requirements presented."

	overall picture to the Ministry of Justice (para 222)		