



Ministry
of Justice

Mike Freer MP
Minister for Courts and
Legal Services

Sir Robert Neill KC (Hon) MP
Chair of the Justice Committee
House of Commons
London
SW1A 0AA

MoJ ref: Sub 114499

02 May 2024

Dear Sir Bob,

**THE CORONERS (SUSPENSION OF REQUIREMENT FOR JURY AT INQUEST: CORONAVIRUS)
REGULATIONS 2024**

I am writing to let you know that the Coroners (Suspension of Requirement for Jury at Inquest: Coronavirus) Regulations 2024 will be laid before Parliament today. This Statutory Instrument (SI) extends, until June 2026, the statutory disapplication of the requirement for any inquest to be held with a jury where Covid-19, as a notifiable disease, is suspected to be the cause of death. The SI is subject to the draft affirmative procedure.

Section 7(2)(c) of the Coroners and Justice Act 2009 requires that an inquest into a death which the coroner suspects to have been caused by a notifiable disease must be held with a jury. Covid-19 was designated as a notifiable disease in March 2020. Consequently, this measure, in its original form, was included as an easement in the Coronavirus Act 2020 to mitigate the additional pressure which a jury requirement in relevant inquests would have created for coroner services and the funding local authorities, and the resulting delay and distress for bereaved families.

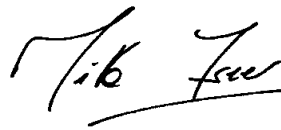
Following the sunseting of the 2020 Act provision in June 2022, it was immediately replicated in the Judicial Review and Courts Act 2022 to support continued pandemic recovery in the coroners' courts. In light of concerns that Covid-19 related inquests should not be permanently treated differently from inquests involving other notifiable diseases, particularly once Covid-19 became endemic and vaccine-preventable, it was implemented on a temporary basis to June 2024, with provision for time-limited extension where this was considered expedient following an assessment of expiry on the coronial system.

In early 2024, the Ministry of Justice surveyed all coroners in England and Wales on their use of the 2022 Act provision since its implementation; and their assessment of the likely impact of its expiry on their case management. The response rate was low but a significant minority of coroners, many in major urban areas, predicted a significant impact for their case management if the provision were allowed to expire. This is because, as we have recently discussed in the context of the Justice Committee's Inquiry into the Coroner Service, the impacts of Covid-19 are inevitably delayed in the context of the coronial system as inquests backlogs, some of which were built up during the pandemic in order to manage wider pressures, continue to be worked through.

While this is the case, the listing of additional jury inquests (which is inevitably complex) would be likely to create additional delay and, therefore, to cause additional distress for bereaved families. It would also create financial and other resource pressure for coroner services in the relevant areas.

Following assessment, therefore, the Lord Chancellor considers that, in light of continuing inquest backlogs and consequent delays for bereaved families, it is expedient for the measure be extended for the maximum permitted period of two years, to June 2026. As previously, the disapplication provision does not preclude the coroner from calling a jury in a Covid-19 related inquest: they have discretion to do so in these cases, as in any other inquest where there is no statutory requirement for a jury.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Mike Freer', with a horizontal line underneath.

MIKE FREER MP