

Reforms to Inquest System Announced

On 14 January 2009 the Government announced reforms to the Inquest system and introduced to Parliament the Coroners and Justice Bill.

The Bill creates new rights for bereaved families including a new "Charter for the Bereaved".

One of the key new proposals will be to give bereaved families the right of appeal to the new position of Chief Coroner on various issues, including if they are unhappy with the verdict at the Inquest, rather than (as is currently the case), requiring them to apply for Judicial Review of the Coroner's Decision.

The Charter will also include:

- Information to the bereaved about the role and powers of the Coroner
- A duty to answer their questions about coronial procedure promptly and effectively
- A duty to respect individual and family privacy

and to take account of their expectations relating to mourning and funerals

- Explaining on request why the Coroner intends to take no further action in a particular case

The Bill controversially also provides for a small number of Inquests to be heard in private, presided over by a High Court Judge, when sensitive information is in issue. It is anticipated that such cases will be rare.

The Bill also provides for Inquest cases to be transferred by the Chief Coroner from one area to another to assist in reducing backlogs of the sort experienced by military families when the body of a deceased was repatriated from overseas postings such as Iraq and Afghanistan. However it can be anticipated that these powers may also be used to speed up the Inquest process in some of the busier metropolitan districts.

The Bill will clearly need to go through Parliament before it becomes law and further briefings will be published as appropriate in due course.

Andrew Parsons
© RadcliffesLeBrasseur
January 2009

For more information on Healthcare Law contact Andrew Parsons at RadcliffesLeBrasseur on 020 7227 7282, or email: andrew.parsons@rlb-law.com.

Out of office emergency advice available 24hrs on 07802 506 306.

Readers are advised to take specific advice before acting in reliance on the matters set out in this briefing.

Future editions can be received by email. Please e-mail: marketing@rlb-law.com or telephone 020 7227 7476.

New Disciplinary and Grievance Procedures

On 6th April 2008 the mandatory “three step” procedure for dealing with disciplinary and grievance issues in the work place will end. The “three step” procedure will be replaced by a new ACAS Code of Practice. Employers will be expected to follow the new Code of Practice and all organisations will need to know about these important changes.

If you would like a training seminar for your management staff, please email: lara.keenan@rlb-law.com