



Torbay & South Devon Coroner Service

Charter

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It is the duty of any person who has any information touching and concerning the death of a person which may lead a Coroner to hold an Inquest to inform the Coroner.

General Information

Application

1. This Charter tells you what standards of performance are to be expected in the Coroner service, and what to do if something goes wrong. This Charter relates to the Coroner service in the Torbay & South Devon District

Legal Position

2. The Torbay & South Devon Coroner Service operates within a legal framework. It is the duty of Coroners to investigate deaths which are reported to them and which appear to be due to violence, or are unnatural, or are sudden and of unknown cause, or which occur in legal custody, and to carry out certain related responsibilities.

Conduct

3. The Torbay & South Devon Coroner and his staff will treat the bereaved and other members of the public courteously and sympathetically at all times, and will have regard, within the constraints of the statutory duties, to the deceased's religious faith and cultural traditions.
4. Duties will be discharged impartially, with a view to ascertaining the facts surrounding a death for the purpose of the Coroner's statutory responsibilities.
5. Confidentiality will be preserved as far as possible within a system based on public court hearings. Explanations for the procedures adopted in particular cases will be given, on request, where the Coroner is satisfied that the person has a proper interest.

Correspondence

6. Written enquiries to the Coroner will normally receive a reply within 10 working days of receipt. If the matter cannot be resolved within that time, an acknowledgement will be issued within 5 working days with an estimate of when a substantive reply will be sent.

Contact and enquiry points

7. The Torbay & South Devon Coroner's office is at Cary Chambers, 1 Palk Street, Torquay TQ2 5EL. The office is open from 09.00 to 13.00 hours and 14.00 to 17.00 hours. Monday to Friday. The telephone number is 01803 380705. The fax number is 01803 380704. Out of office hours, contact should be made through Police stations.
8. Court hearings are held at appropriate venues. The Courts do have toilets, waiting rooms, telephones and access arrangements for the disabled. Those wishing to attend Court who have any special requirements (including for example, translating or interpreting services) are requested to contact the Coroner's office in advance.
9. A map giving directions to the location of the Court is available on application to the Coroner's Officer on 01803 655255 or 01803 655205.
10. Coroners and their staff will identify themselves by name in their dealings with members of the public. Deputy and Assistant Deputy Coroners act when the Coroner is not available. In doing so, they exercise the full powers of the Coroner.

Inquiries not requiring an Inquest

11. If a death is reported which does not need to be the subject of an Inquest, a Certificate giving the cause of death will be sent to the Registrar of Deaths within 5 working days of the completion of the Coroner's enquiries.

Before the Inquest

Interviews

12. If the Coroner or his staff need to interview someone about a death, the aim will be to do so no more than once, at a time and place convenient to the person concerned, If the person wishes, they may be accompanied during the interview by a relative, friend or other person. Every effort will be made to avoid causing any additional distress to close friends or relatives of the deceased. A copy of any statement to be used at the Inquest will be provided on request to the person who made it (unless the Coroner has good reason not to release it).

Post Mortems

13. When the Coroner decides that a post mortem is necessary, wherever possible, the immediate next of kin whose details are known will be given:
- An explanation why a post mortem is necessary and what is involved, if requested:
 - Advance notice of the arrangements, so that they may be represented (by a doctor) if they wish (but post mortem examinations must normally be undertaken as soon as possible usually within 24 hours of the discovery of the death). Notice may not always be practicable.
 - A copy of the post mortem report, if requested and on payment of the prescribed fee (if any)

Administrative arrangements

14. The Coroner will notify those asked to attend an Inquest:
- The date and time of each hearing (if more than one) at least 10 working days in advance (but note that the formal opening of the inquest - for taking evidence of identity and the medical cause of death - will generally take place within 2 days of the report of the death, at which point the body will normally be released):
 - Details of the location of the Court where the Inquest will be held and of the facilities which will be available there.
 - Details of the telephone number and a contact for enquiries.

And will:

- Provide a leaflet explaining the purpose and procedures of inquests:
- Advise those who express a wish to do so that they may attend an Inquest as an observer beforehand;
- Explain to those called as a witness or juror how to claim for travel and subsistence expenses and for financial loss allowance;
- Ascertain any preference for swearing evidence (e.g. in accordance with specified religious beliefs, or on affirmation)

Timing

15. The Coroner will endeavour to hold the Inquest at the earliest practicable date. Most Inquests in Torbay & South Devon take place within 3 months of the death. However, there may be factors outside the Coroner's control which can cause delay. Where the Inquest is likely to be delayed, the Coroner will notify interested persons of the position, including the reasons for any continuing delay, on a regular basis, unless the Inquest has been formally adjourned to a specific date.

Release of the body

16. The Coroner will release the body of the deceased for the funeral at the earliest opportunity normally within 3 days. Where there are uncertainties as to the cause of death, or where the death is suspicious, it may be necessary to retain the body longer for further investigations. The Coroner will ensure that relatives are advised of potential delays and the reasons for them.

Disclosure of information

17. The Coroner will, on request and at his discretion, provide to properly interested persons not less than 10 working days in advance of the inquest copies of the post mortem report.

Jurors

18. For jurors the Coroner will:

- Send a leaflet explaining the duties of a juror at an Inquest, and providing other relevant information, 10 days beforehand:
- Provide an indication in advance of how long the jury service will last

After the Inquest

19. On the conclusion of the Inquest, the next of kin will be provided with a written explanation about how, where and when a copy of the Death Certificate may be obtained.
20. If, in the interests of preventing further fatalities the Coroner decides to formally report the matter to a relevant person or authority, he will do so within 10 working days of the Inquest outcome. He will also send copies of his letters to all properly interested persons. A copy of any subsequent reply will be sent within 5 days of its receipt.
21. The Coroner will supply within 7 days of request by a properly interested person, on application, a copy of the Inquest verdict and will supply a certified copy of the Notes of Evidence and of documents produced in evidence within 42 days of receipt of the prescribed fee (which will vary according to the number and size of the documents to be copied). An estimate of the fee will be provided in advance.
22. The Coroner on behalf of the local authority will pay witness and juror expenses claims promptly and within 10 working days of receipt of properly completed applications.

Application for permission to remove a body abroad

23. The Coroner will make every effort to complete his enquiries and decide such applications within 5 days of receipt of notice including weekends and Bank Holidays.

Treasure Inquests

24. Coroners have responsibility for enquiries into treasure finds. Information leaflets about treasure are available from the Coroner's office.

Feedback and complaints

25. Coroners will not normally enter into correspondence about the cases they have completed, but comments and suggestions on improving the Coroner service are always welcome. Please contact the Coroner's officer at the address given below. The aim, of the Coroner service is to provide a service of excellence so that you should have no cause for complaint, but if you do, the complaint will be dealt with speedily and courteously.

- Complaints about a Coroner's decision or the outcome of an Inquest can only be dealt with through the High Court. The Coroner's office will be able to explain the procedure on request, but cannot give legal advice.
- All complaints about the administration of the Torbay & South Devon Coroner service or the conduct of individual Coroners or their staff, should be raised in the first instance with the Coroner concerned by writing to him at Cary Chambers, 1 Palk Street, Torquay TQ2 5EL. The Coroner will reply to such complaints in accordance with the timescales set out above (paragraph 6).
- If the Coroner fails to deal with the complaint satisfactorily, the complainant may refer it to the Department of Constitutional Affairs, Coroner's Division, Ground Floor, Seacole House, 2 Marsham Street, London SW1P 4DF. Tel 020 7035 5530. The Department of Constitutional Affairs has no disciplinary powers or power to award compensation but may, in appropriate cases, refer the complaint to the Lord Chancellor who is responsible for the discipline of Coroners.

Deaths in hospital

26. When a patient dies in hospital their family will receive support from, both the Coroner's officers and the hospital patient liaison team. If the family have any concerns about the care which was given by the hospital team then they should advise the Coroner's officer and these will be addressed as part of the Coroner's enquiries.
27. The Coroner may ask the hospital's liaison team for assistance with his enquiries to ensure he receives all the relevant information, from all sources, during the course of his enquiries. During this time the hospital will liaise directly with the Coroners Officers.

28. Once the Coroner's enquiries are complete and/or following the Coroner's Inquest families may contact the hospital direct if they would like further information or have any outstanding concerns. The Coroner's officer in Torbay can be contacted on 01803 655255 or 01803 655205

Performance

29. The Coroner's and local authority's performance will be monitored against the standards detailed in this document

Further information

30. Further copies of this Charter may be obtained from the Coroner's office. This office produces a short leaflet "Why is the Coroner Involved" and a booklet for medical practitioners "A Guide to Working with the Torbay & South Devon Coroner". General information is contained in the Home Office leaflet "When Sudden Death Occurs", which is also available from the Coroner's Office and from Police Stations, Citizens Advice Bureau, Hospitals, Libraries and Council offices. The Home Office booklet "Your Jury Service in the Coroner's Court" can be obtained from the Coroner's office.

31. This Charter was first issued on 1st May 2001 and is periodically reviewed.

www.torbay.gov.uk/coroner