

# Competences for lawyers practising in the Coroners' Courts



## Foreword

As Chief Coroner, I welcome ***Competences for lawyers practising in the Coroners' Courts*** and endorse it for all lawyers who undertake coronial work. It has been jointly published by the Bar Standards Board, the Solicitors Regulation Authority and CILEx Regulation with a view to improving standards of advocacy in coroners' proceedings.

It is important that those who practise, or who aspire to practise, in such a specialised jurisdiction should have access to 'bespoke' guidance setting out the standards that will be expected of them. ***Competences for lawyers practising in the Coroners' Courts*** provides that guidance. I particularly applaud the document's emphasis on the inquisitorial nature of coronial proceedings. All lawyers who practise in coroners' courts should appreciate – and should explain to their clients – that an inquest is not a means of apportioning blame, let alone a form of litigation, but a sharply focused and necessarily limited investigation into four questions: who the deceased was, and when, where and by what means the deceased came by his or her death.

Against that background, the bereaved must always remain at the heart of the process. The protection of their interests, as well as those of witnesses and other interested persons, demands specialised skills, knowledge and sensitivities that differ in important respects from those that apply in most adversarial proceedings. ***Competences for lawyers practising in the Coroners' Courts*** provides an excellent foundation for improving standards of advocacy in coronial proceedings and I commend it.

**His Honour Judge Edward Thomas Teague QC,  
Chief Coroner of England and Wales.**

## 1

## Procedure

You should:

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- 1.1 Keep your knowledge and understanding of the jurisdiction and procedure of the Coroner's Court up to date and apply it effectively.
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- 1.2 Assist the coroner in the disclosure of all facts relevant to the inquisitorial process, regardless of who you represent, whilst being mindful of your duty to your clients.
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## 2

## Dealing with vulnerability

You should:

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- 2.1 Recognise the central role of bereaved families and have knowledge and understanding of their vulnerability during an inquest.
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- 2.2 Have knowledge and understanding of the potential vulnerability of interested persons and witnesses during an inquest.
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- 2.3 Adapt the delivery of your service to the needs of such vulnerable people.
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- 2.4 Make sure that those being represented understand the jurisdiction and procedure of the Coroner's Court and manage their expectations sensitively.
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## 3

## Communication and engagement

You should:

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- 3.1 Speak clearly and concisely, using plain language, especially when communicating with those who are vulnerable.
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- 3.2 Recognise that an inquest is an inquisitorial and fact-finding exercise, and your style of questioning must be appropriate. In particular, recognise that whilst firm and robust questioning may sometimes be necessary, an aggressive and hostile style of questioning is not appropriate.
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- 3.3 Adapt your style of advocacy and personal interactions to the circumstances and potential vulnerability of those participating in the inquest, demonstrating empathy as appropriate.
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- 3.4 Restrict questions to those that are relevant to the purposes of the inquest.
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- 3.5 Be respectful and professional at all times, both inside and outside the courtroom.
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## 4

## Awareness of key organisations

You should:

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- 4.1 Understand how organisations and agencies relevant to the Coroner's Court can assist and support family members, witnesses and other interested persons.
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- 4.2 Work with relevant organisations and agencies as appropriate, where it will benefit family members, witnesses and other interested persons.
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