

PRESS RELEASE

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MPs TO DEBATE THE CORONERS AND JUSTICE BILL 2009

The second Reading of the Coroners and Justice Bill 2009 will take place on Monday 26 January 2009. INQUEST's work has highlighted a system in crisis and one which is currently failing bereaved families. We hope that parliament will use this opportunity to ensure that there is root and branch reform of the system as the inquest is usually the only public forum in which contentious deaths are subjected to public scrutiny. It is crucial that new legislation results in fundamental reform to ensure that, whatever the circumstances of the death, bereaved families do not feel they have been further damaged by the inquest process.

While INQUEST welcomes many of the Bill's provisions on the inquest system we believe it could be strengthened. A nationally-funded, professional coronial system with an extended remit and powers would have a crucial role in preventing contentious deaths and act as an essential hallmark of democratic accountability. It could also play a crucial role in preventing further deaths in similar circumstances and protecting public health and safety.

We remain deeply concerned about the proposals to hold some inquests partly in secret with the bereaved family, their legal representatives and the public at large excluded. We hope that there will be an opportunity to change this part of the Bill fundamentally and find a solution that is compatible with the Human Rights Act 1998.

The government states that "the purpose of the Bill is to establish more effective, transparent and responsive justice and coroner services for victims, witnesses, bereaved families and the wider public." While INQUEST applauds these intentions, it believes that the Bill needs to be strengthened to achieve this outcome or it is in danger of raising the expectations of bereaved people without providing a robust and well-resourced framework.

Our casework over the last 25 years indicates that the most pressing reforms needed are:

- An extension of the remit of the inquest system.
- Improvement to the support and information available to bereaved people.
- Changing the structure to create a national coroner service to improve service delivery, ensure high standards of accountability and consistency of service.
- A system of monitoring inquest verdicts and coroners' reports; and a statutory obligation on public bodies to act on the findings of an inquest, with the Chief Coroner providing a summary of coroners' reports and the responses to them in an annual report to Parliament.
- Non-means-tested public funding for legal representation for bereaved people following deaths in circumstances that involve public authorities.
- Specific action to be taken to counter lengthy delays in holding inquests.

Inquest

The Bill is silent on the need for full, non-means-tested public funding for legal representation for bereaved families where the death involves a public authority. This omission will fundamentally prevent the Bill from achieving its stated purpose.

INQUEST will be producing a substantial briefing on the detail of the Bill to assist and inform parliamentarians and others as the Bill makes its passage through parliament.

Notes to editors:

1. INQUEST is the only non-governmental organisation in England and Wales that works directly with the families of those who die in custody. It provides an independent free legal and advice service to bereaved people on inquest procedures and their rights in the coroner's courts and conducts policy work on the issues arising.
2. INQUEST is campaigning to ensure that the Coroners and Justice Bill 2009 results in fundamental reform of an inquest system currently hampered by delay, inconsistency of approach and lack of resources and unable to fulfil its vital function of preventing unnecessary deaths. INQUEST is in regular dialogue with Ministers and officials in the Ministry of Justice, MPs, and members of the House of Lords, the Joint Committee on Human Rights, coroners and leading legal practitioners on the need for reform.
3. The government must also make changes to ensure that bereaved families can participate effectively in inquest hearings by having equal access, alongside the police and Prison Service, to non means-tested public funding for their legal representation.
4. INQUEST's groundbreaking report *Unlocking the Truth - Families' Experiences of the Investigation of Deaths in Custody* presents the experiences of families bereaved by deaths in custody of the coroners inquest system in their own words and shows how current systems are failing through basic lack of provision and poor implementation of existing protocols.

INQUEST makes extensive recommendations and presents families' suggestions for change, arguing that scrutiny, criticism and proposals for reform of the way the state deals with deaths in custody is a crucial contribution to the health of its democracy.

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Full text of the The Coroners and Justice Bill 2009	
Executive summary of <i>Unlocking the Truth</i> http://inquest.org.uk/pdf/unlocking_the_truth_executive_summary.pdf	
More about <i>Unlocking the Truth</i> on the INQUEST website	