

Competences for lawyers practising in inquests in the Coroners' Courts

13 September 2021

1. Procedure

You should:

1.1

Keep your knowledge and understanding of the jurisdiction and procedure of the Coroners' Courts up to date and apply it effectively.

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.

2. Dealing with vulnerability

You should:

2.1

Recognise the central role of bereaved families and have knowledge and understanding of their vulnerability during an inquest.

2.2

Have knowledge and understanding of the potential vulnerability of interested persons and witnesses during an inquest.

2.3

Adapt the delivery of your service to the needs of such vulnerable people.

2.4

Make sure that those being represented understand the jurisdiction and procedure of the Coroners'

Courts and manage their expectations sensitively.

3. Communication and engagement

You should:

3.1

Speak clearly and concisely, using plain language, especially when communicating with those who are vulnerable.

3.2

Recognise that an inquest is an inquisitorial and fact-finding exercise, and your style of questioning must be appropriate. In particular, avoid inappropriate emotional language and recognise that whilst firm and robust questioning may sometimes be necessary, an aggressive and hostile style of questioning is not appropriate.

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.

3.4

Restrict questions to those that are relevant to the purposes of the inquest.

3.5

Be respectful and professional at all times, both inside and outside the courtroom.

4. Awareness of key organisations

You should:

4.1

Understand how organisations and agencies relevant to the Coroners' Courts can assist and support family members, witnesses and other interested persons.

4.2

Work with relevant organisations and agencies as appropriate, where it will benefit family members, witnesses and other interested persons.