

Status: Point in time view as at 25/07/2013. This version of this schedule contains provisions that are prospective.
Changes to legislation: Coroners and Justice Act 2009, Schedule 10 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 10

Section 41

INVESTIGATION BY CHIEF CORONER OR CORONER FOR TREASURE OR BY JUDGE, FORMER JUDGE OR FORMER CORONER

Investigation by Chief Coroner

- 1 (1) The Chief Coroner may conduct an investigation into a person's death.
- (2) Where the Chief Coroner is responsible for conducting an investigation by virtue of this paragraph—
 - (a) the Chief Coroner has the same functions in relation to the body and the investigation as would be the case if he or she were a senior coroner in whose area the body was situated;
 - (b) no senior coroner, area coroner or assistant coroner has any functions in relation to the body or the investigation.
- (3) Accordingly a reference in a statutory provision (whenever made) to a senior coroner is to be read, where appropriate, as including the Chief Coroner exercising functions by virtue of this paragraph.

Commencement Information

II Sch. 10 para. 1 in force at 25.7.2013 by S.I. 2013/1869, art. 2(n)

PROSPECTIVE

Investigation by Coroner for Treasure

- 2 (1) The Chief Coroner may direct the Coroner for Treasure to conduct an investigation into a person's death.
- (2) Where a direction is given under this paragraph—
 - (a) the Coroner for Treasure must conduct the investigation;
 - (b) the Coroner for Treasure has the same functions in relation to the body and the investigation as would be the case if he or she were a senior coroner in whose area the body was situated;
 - (c) no senior coroner, area coroner or assistant coroner has any functions in relation to the body or the investigation.
- (3) Accordingly, a reference in a statutory provision (whenever made) to a senior coroner is to be read, where appropriate, as including the Coroner for Treasure exercising functions by virtue of this paragraph.

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Investigation by judge, former judge or former coroner

- 3 (1) If requested to do so by the Chief Coroner, the Lord Chief Justice may nominate a person within sub-paragraph (2) to conduct an investigation into a person's death.
- (2) A person is within this sub-paragraph if at the time of the nomination he or she is—
 - (a) a judge of the High Court,
 - (b) a Circuit judge, or
 - (c) a person who has held office as a judge of the Court of Appeal or of the High Court (but no longer does so),
 and is under the age of 75.
- (3) The Chief Coroner may request a person who at the time of the request—
 - (a) has held office as a senior coroner (but no longer does so), and
 - (b) is under the age of 75,
 to conduct an investigation into a person's death.
- (4) If a person nominated or requested under this paragraph agrees to conduct the investigation—
 - (a) that person is under a duty to do so;
 - (b) that person has the same functions in relation to the body and the investigation as would be the case if he or she were a senior coroner in whose area the body was situated;
 - (c) no senior coroner, area coroner or assistant coroner has any functions in relation to the body or the investigation.
- (5) Accordingly a reference in a statutory provision (whenever made) to a coroner is to be read, where appropriate, as including a person who has been nominated or requested under this paragraph to conduct an investigation and has agreed to do so.
- (6) The Lord Chief Justice must consult the Lord Chancellor before making a nomination under this paragraph.

Commencement Information
I2 Sch. 10 para. 3 in force at 25.7.2013 by S.I. 2013/1869, art. 2(n)

PROSPECTIVE

Appeals

F14

Textual Amendments
F1 Sch. 10 para. 4 repealed (14.2.2012) by Public Bodies Act 2011 (c. 24), ss. 33(2), 38(1)

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Investigations already begun

- 5 A reference in this Schedule to conducting an investigation, in the case of an investigation that has already begun, is to be read as a reference to continuing to conduct the investigation.

Commencement Information

I3 Sch. 10 para. 5 in force at 25.7.2013 by S.I. 2013/1869, art. 2(n)

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