

Status: Point in time view as at 31/01/2017.

Changes to legislation: Coroners and Justice Act 2009, Schedule 8 is up to date with all changes known to be in force on or before 14 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 8

Section 35

CHIEF CORONER AND DEPUTY CHIEF CORONERS

Appointment of Chief Coroner

- 1 (1) The Lord Chief Justice may appoint a person as the Chief Coroner.
- (2) To be eligible for appointment as the Chief Coroner a person must be—
 - (a) a judge of the High Court or a Circuit judge, and
 - (b) under the age of 70.
- (3) The Lord Chief Justice must consult the Lord Chancellor before making an appointment under this paragraph.
- (4) The appointment of a person as the Chief Coroner is to be for a term decided by the Lord Chief Justice after consulting the Lord Chancellor.
- (5) In this paragraph “appointment” includes re-appointment.

Commencement Information

II Sch. 8 para. 1 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), Sch. para. 21

Appointment of Deputy Chief Coroners

- 2 (1) The Lord Chief Justice may secure the appointment as Deputy Chief Coroners of however many persons the Lord Chief Justice thinks appropriate.
- (2) To be eligible for appointment as a Deputy Chief Coroner a person must be—
 - (a) a judge of the High Court, a Circuit judge, the Coroner for Treasure or a senior coroner, and
 - (b) under the age of 70.
- (3) The Lord Chief Justice must consult the Lord Chancellor as to—
 - (a) the appropriate number of persons to be appointed as Deputy Chief Coroners;
 - (b) how many of them are to be persons eligible for appointment by virtue of being judges and how many are to be persons eligible for appointment by virtue of being senior coroners or the Coroner for Treasure.
- (4) The function of appointing a person as a Deputy Chief Coroner is exercisable, in the case of a judge of the High Court or a Circuit judge, by the Lord Chief Justice after consulting the Lord Chancellor.

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- (5) The appointment by the Lord Chief Justice of a person as a Deputy Chief Coroner is to be for a term decided by the Lord Chief Justice after consulting the Lord Chancellor.
- (6) The function of appointing a person as a Deputy Chief Coroner is exercisable, in the case of a senior coroner or the Coroner for Treasure, by the Lord Chancellor at the invitation of the Lord Chief Justice.
- (7) The appointment by the Lord Chancellor of a person as a Deputy Chief Coroner is to be for a term decided by the Lord Chancellor after consulting the Lord Chief Justice.
- (8) In this paragraph “appointment” includes re-appointment.

Commencement Information

I2 [Sch. 8 para. 2](#) in force at 1.2.2010 by [S.I. 2010/145](#), art. 2(2), [Sch. para. 21](#)

Resignation or removal

- 3 (1) The Chief Coroner, or a Deputy Chief Coroner appointed by the Lord Chief Justice, may resign from office by giving notice in writing to the Lord Chief Justice.
- (2) But the resignation does not take effect unless and until it is accepted by the Lord Chief Justice, who must consult the Lord Chancellor before accepting it.
- (3) A Deputy Chief Coroner appointed by the Lord Chancellor may resign from office by giving notice in writing to the Lord Chancellor.
- (4) But the resignation does not take effect unless and until it is accepted by the Lord Chancellor, who must consult the Lord Chief Justice before accepting it.

Commencement Information

I3 [Sch. 8 para. 3](#) in force at 1.2.2010 by [S.I. 2010/145](#), art. 2(2), [Sch. para. 21](#)

- 4 (1) The Lord Chief Justice may, after consulting the Lord Chancellor, remove the Chief Coroner, or a Deputy Chief Coroner appointed by the Lord Chief Justice, from office for incapacity or misbehaviour.
- (2) The Lord Chancellor may, after consulting the Lord Chief Justice, remove a Deputy Chief Coroner appointed by the Lord Chancellor from office for incapacity or misbehaviour.

Commencement Information

I4 [Sch. 8 para. 4](#) in force at 1.2.2010 by [S.I. 2010/145](#), art. 2(2), [Sch. para. 21](#)

Remuneration, allowances and expenses

- 5 The Lord Chancellor may pay to the Chief Coroner—
 - (a) amounts determined by the Lord Chancellor by way of remuneration or allowances;

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- (b) amounts determined by the Lord Chancellor towards expenses incurred by the Chief Coroner in performing functions as such.

Commencement Information

I5 Sch. 8 para. 5 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), Sch. para. 21

- 6 The Lord Chancellor may pay to a Deputy Chief Coroner—
- (a) amounts determined by the Lord Chancellor by way of remuneration or allowances;
 - (b) amounts determined by the Lord Chancellor towards expenses incurred by that Deputy Chief Coroner in performing functions as such.

Commencement Information

I6 Sch. 8 para. 6 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), Sch. para. 21

- 7 A reference in paragraph 5 or 6 to paying expenses incurred by a person (“P”) includes a reference to indemnifying P in respect of—
- (a) costs that P reasonably incurs in or in connection with proceedings in respect of things done or omitted in the exercise (or purported exercise) by P of duties under this Part;
 - (b) costs that P reasonably incurs in taking steps to dispute claims that might be made in such proceedings;
 - (c) damages awarded against P, or costs ordered to be paid by P, in such proceedings;
 - (d) sums payable by P in connection with a reasonable settlement of such proceedings or of claims that might be made in such proceedings.

Commencement Information

I7 Sch. 8 para. 7 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), Sch. para. 21

Exercise of Chief Coroner's functions by Deputy Chief coroner

- 8 (1) A Deputy Chief Coroner may perform any functions of the Chief Coroner—
- (a) during a period when the Chief Coroner is absent or unavailable;
 - (b) during a vacancy in the office of Chief Coroner;
 - (c) at any other time, with the consent of the Chief Coroner.
- (2) Accordingly a reference in this Part to the Chief Coroner is to be read, where appropriate, as including a Deputy Chief Coroner.

Commencement Information

I8 Sch. 8 para. 8 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), Sch. para. 21

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Staff

- 9 (1) The Lord Chancellor must appoint staff to assist the Chief Coroner and any Deputy Chief Coroners in the performance of their functions.
- (2) Such staff are to be appointed on whatever terms and conditions the Lord Chancellor thinks appropriate.

Commencement Information

19 Sch. 8 para. 9 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), Sch. para. 21

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