STATUTORY INSTRUMENTS

1983 No. 1539

CORONERS

The Coroners (Amendment) Rules 1983

Made - - - -	12*th October* 1983
Coming into Operation	1*st January* 1984

The Lord Chancellor, in exercise of the powers conferred on him by sections 26 and 27 of the Coroners (Amendment) Act 1926 (a) and with the concurrence of the Secretary of State, hereby makes the following Rules:—

1. These Rules may be cited as the Coroners (Amendment) Rules 1983 and shall come into operation on 1st January 1984, provided that these Rules shall not have effect in relation to any inquest begun before that day.

2. In these Rules the expression "the principal Rules" means the Coroners Rules 1953 (b).

3. For Rule 35 of the principal Rules there shall be substituted the following Rules:—

"SUMMONING OF JURORS AND EXCUSAL FROM JURY SERVICE

35. Subject to the provisions of these Rules, the person to whom the coroner's warrant is issued under section 3 of the Coroners Act 1887 (c) for the summoning of persons to attend as jurors at inquests shall have regard to the convenience of the persons summoned and to their respective places of residence, and in particular to the desirability of selecting jurors within reasonable daily travelling distance of the place where they are to attend.

35A. Subject to the provisions of these Rules, jurors shall be summoned by notice in writing sent by post or delivered by hand and a notice shall be sent or delivered to a juror at his address as shown in the electoral register.

35B. A written summons sent or delivered to any person under Rule 35A of these Rules shall be accompanied by a notice informing him—

(a) of the effect of section 3A of the Coroners Act 1887 (d) and Rules 35G(1) and 35H of these Rules; and

(b) that he may make representations to the appropriate officer with a view to obtaining the withdrawal of the summons, if for any reason he is not qualified for jury service, or wishes or is entitled to be excused.

35C. If it appears to the appropriate officer, at any time before the day on which any person summoned under section 3 of the Coroners Act 1887 is to attend, that his attendance is unnecessary, or can be dispensed with, the appropriate officer may withdraw or alter the summons by notice served in the same way as a notice of summons.

(a) 1926 c.59; section 26 was amended by section 2 of the Coroners' Juries Act 1983 (c.31).
(b) S.I. 1953/205, amended by S.I. 1956/1691, 1974/2128, 1977/1881, 1980/557, 668.
(c) 1887 c.71.
(d) Section 3A was inserted by the Coroners' Juries Act 1983, section 1.

35D. If it appears to the coroner that a jury will be, or probably will be, incomplete, the coroner may, if he thinks fit, require any persons who are in, or in the vicinity of, the place of the inquest to be summoned (without any written notice) for jury service up to the number needed (after allowing for any who may not be qualified under section 3A of the Coroners Act 1887 and for excusals) to make up such number.

35E.—(1) If a person summoned under section 3 of the Coroners Act 1887 shows to the satisfaction of the appropriate officer or of the coroner—

(a) that he has served on a jury, or duly attended to serve on a jury, at inquests held in that coroner's jurisdiction on three or more days in the period of one year ending with the service of the summons on him; or

(b) that he has served on a jury, or duly attended to serve on a jury, in the Crown Court, the High Court or any county court in the period of two years ending with the service of the summons on him; or

(c) that any such court or a coroner has excused him from jury service for a period which has not terminated,

the appropriate officer or the coroner shall excuse him from attending, or further attending, in pursuance of the summons.

(2) In reckoning the days for the purpose of paragraph (1)*(a)* of this Rule no account shall be taken of any day or days to which an inquest is adjourned.

35F. A person duly attending to serve on a jury in compliance with a summons under section 3 of the Coroners Act 1887 shall be entitled on application to the appropriate officer to a certificate recording that he has so attended.

35G.—(1) A person summoned under section 3 of the Coroners Act 1887 shall be entitled, if he so wishes, to be excused from jury service if he is among the persons for the time being listed in Part III of Schedule 1 to the Juries Act 1974 (**a**) but, except as provided by that Part of that Schedule in the case of members of the forces, a person shall not by this Rule be exempt from his obligation to attend if summoned unless he is excused from attending under paragraph (2) of this Rule.

(2) If any person so summoned shows to the satisfaction of the appropriate officer or of the coroner that there is good reason why he should be excused from attending in pursuance of the summons, the appropriate officer or the coroner may excuse him from so attending and shall do so if the reason shown is that the person is entitled under paragraph (1) of this Rule to excusal.

35H. Where it appears to the appropriate officer, in the case of a person attending in pursuance of a summons under section 3 of the Coroners Act 1887, that on account of physical disability or insufficient understanding of English there is doubt as to his capacity to act effectively as a juror, the person may be brought before the coroner, who shall determine whether or not he should act as a juror and, if not, shall discharge the summons.

35J. Nothing in Rules 35 to 35H of these Rules shall have effect in relation to any inquest held by the coroner of the Queen's household.".

(**a**) 1974 c.23.

4. In Rule 43(1) of the principal Rules there shall be inserted before the definition of the expression "chief officer of police" the following definition:—

"the expression "appropriate officer" has the same meaning as it has in section 3A of the Coroners Act 1887;".

5. For Form 4 in Schedule 3 to the principal Rules there shall be substituted the Forms set out in the Schedule to these Rules.

Hailsham of St. Marylebone, C.

11th October 1983.

I concur,

Leon Brittan,
One of Her Majesty's Principal Secretaries of State.

Home Office.
12th October 1983.

SCHEDULE Rule 5.

FORMS

"4

Summons to juror

To

By virtue of a warrant of A.B., one of Her Majesty's coroners for the of you are hereby summoned to appear before him as a juror on (*state day of week*) the (*state date*) day of 19 , at a.m. p.m. at (*state place*) until you are no longer needed.

You must attend at the time and place shown above unless you are told by the officer authorised by the Coroner that you need not do so.

Dated this day of , 19

E.F.
Coroner's Officer
Constable

YOU MUST COMPLETE THE ATTACHED FORM AND RETURN IT TO (*insert name of officer authorised by the Coroner*) IN THE ENVELOPE PROVIDED WITHIN THREE DAYS OF THE RECEIPT OF THIS SUMMONS.

WARNING: YOU WILL BE LIABLE TO A FINE IF YOU—

1. refuse to give the information necessary to decide if you are qualified to serve on a jury;
2. deliberately give false information or cause or permit false information to be given;
3. fail to attend for jury service or refuse without reasonable excuse to serve as a juror; or
4. serve on a jury knowing you are not qualified to do so.

4A

Notice to accompany summons and reply thereto

This form should be returned in the envelope provided within three days of receiving it.

Surname .....

Forename(s) ..... Date of Birth .....

Address .....

..... Telephone number .....

(If possible please give a telephone number where you can be contacted between 9 a.m. and 5 p.m.)

INFORMATION GIVEN WILL BE TREATED IN THE STRICTEST CONFIDENCE

YOU ARE QUALIFIED for jury service if you—

(a) are over eighteen and under sixty-five;

[If you will be under eighteen on or have reached your sixty-fifth birthday by the date on which your appearance is required you will NOT be eligible to serve as a juror.]

(b) are registered as a parliamentary or local government elector;

(c) have lived in the United Kingdom, the Channel Islands or the Isle of Man for a period of at least five years since attaining the age of thirteen; and

(d) are not one of the persons described in Parts I and II of Schedule 1 to the Juries Act 1974.*

1. Are you QUALIFIED to serve as a juror? Please tick appropriate box.

YES ☐ NO ☐

If you have answered NO to question 1, please answer question 2 and sign the form at the end.

If you have answered YES and wish to apply to be excused from jury service on this occasion, please go on to 3 below and then sign the form at the end.

2. I AM NOT QUALIFIED to serve on a jury because—

3. YOU ARE ENTITLED TO BE EXCUSED if you fall within any of the categories of persons specified in Part III of Schedule 1 to the Juries Act 1974† (although you may serve if you want to).

YOU MAY BE EXCUSED at the discretion of the Coroner or of the officer authorised by the Coroner on grounds such as poor heath, illness, physical disability, insufficient understanding of English, holiday arrangements or for any other good reason.

I WISH TO BE EXCUSED from jury service on this occasion because—

[*If you are in any doubt as to whether you may be excused from jury service please write to the officer authorised by the Coroner at the address on the front of the summons.*]

When you attend as a juror you may be discharged if there is doubt as to your capacity to serve on a jury because of physical disability or insufficient understanding of English.

I HAVE READ THE WARNING IN THE SUMMONS AND THE INFORMATION I HAVE GIVEN IS TRUE.

Signed ..... Dated .....

* See List 1 attached.
† See List 2 attached.

4B

Certificate of Attendance

Name of Juror .....

I hereby certify that the above-named Juror [attended to serve] [served] on a jury at an inquest held before A.B., one of Her Majesty's coroners for the of

*Delete as required *on/*from *to

[and I further certify that in the opinion of the Coroner it would be reasonable and proper that he/she should be exempt from service on a jury in a coroner's court for a period of years from .]

Dated this day of , 19

Signature .....

Officer authorised by the Coroner".

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules amend the Coroners Rules 1953 in consequence of amendments made to the Coroners Acts 1887 to 1926 by the Coroners' Juries Act 1983. Rule 3 of these Rules inserts new Rules into the Coroners Rules 1953 providing for the summoning of persons to attend as jurors at an inquest and the excusal of persons from serving as jurors at an inquest. The Schedule to these Rules inserts new Forms into the Schedule to the Coroners Rules 1953, including a summons and an accompanying notice giving information about qualifications for and excusal from service as a juror at an inquest for completion and return by the recipient.

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