STATUTORY INSTRUMENTS

1966 No. 11

CORONERS

EXPENSES

The Coroners (Fees and Allowances) Rules 1966

Made - - - - *5th January* 1966
Coming into Operation *14th February* 1966

In pursuance of the powers conferred upon me by section 1(1) of the Coroners Act 1954(a), I hereby make the following Rules:—

1.—(1) A medical practitioner who makes a post-mortem examination of a body by the coroner's direction or at the coroner's request and reports the result thereof to the coroner and who is not a witness at an inquest on that body shall be paid a fee of five guineas.

(2) A medical practitioner who makes a post-mortem examination of a body by the coroner's direction or at the coroner's request and reports the result thereof to the coroner and who is a witness at an inquest on that body shall be paid a fee of eight guineas in respect of the examination and of the first day on which he attends to give evidence at the inquest and in addition a further fee of four guineas for each subsequent day on which he attends to give evidence at the inquest:

Provided that if he attends to give evidence at more than one inquest held on the same day on the bodies of persons whose deaths appear to have been caused by the same accident or occurrence, he shall be paid a fee of five guineas in respect of the post-mortem examination of each such body made by him and in addition a fee of four guineas in respect of each day on which he attends to give evidence at such inquests.

(3) A medical practitioner who travels to or from a place in connection with a post-mortem examination of a body made by the coroner's direction or at the coroner's request may, in addition to any fee paid to him under the preceding paragraphs of this Rule, be paid in respect of the journey—

(*a*) if he travels by railway or other public conveyance and the journey to or from such place is in excess of two miles, the fare actually paid;

(*b*) if he travels by any other means, an allowance at the rate of one shilling a mile for each mile, other than the first two miles, of the journey to or from such place:

Provided that no payment shall be made under this paragraph if in respect of such journey any payment may be made under Rule 7 of these Rules.

(4) A medical practitioner who is a witness at an inquest shall, for attending to give professional evidence otherwise than in connection with a post-mortem examination made by him by the coroner's direction or at the coroner's request, be paid a fee of four guineas for each day on which he attends to give evidence at that inquest:

Provided that if he attends to give evidence at more than one inquest held on the same day, he shall be paid a fee of two and a half guineas in

(a) 2 & 3 Eliz. 2. c. 31.

respect of his attendance at each inquest held on that day other than the first.

2. A witness practising as a member of the legal professions or as a dentist or veterinary surgeon may, for attending to give professional evidence whether at one or more inquests, be paid a professional witness allowance, not exceeding eight guineas a day:

Provided that if the witness attends on any day to give evidence at one inquest only and the period during which he is necessarily absent from his place of residence or practice to attend as aforesaid does not exceed four hours his professional witness allowance shall not exceed four guineas, unless he necessarily incurs expense in the provision for the occasion of a person to take care of his practice during his absence.

3. An expert witness at an inquest may, for attending to give expert evidence and for work in connection with its preparation, be paid an expert witness allowance of such amount as the coroner may consider reasonable having regard to the nature and difficulty of the case and the work necessarily involved.

4. A witness at an inquest to whom the preceding Rules do not apply, who attends to give evidence whether at one or more inquests and thereby loses remuneration or necessarily incurs expense (other than expense on account of travelling, lodging or subsistence) to which he would not otherwise have been subject, may be paid a loss allowance not exceeding fifty shillings a day in respect of that loss or expense:

Provided that if the period during which the witness is necessarily absent from his place of residence, business or employment to attend as aforesaid does not exceed four hours, his loss allowance shall not exceed twenty-five shillings unless he necessarily loses more than half a day's remuneration or the expense necessarily exceeds twenty-five shillings.

5. A witness at an inquest (other than a witness who receives a fee or allowance under Rules 1 to 3 of these Rules) who attends to give evidence, whether at one or more inquests, may be paid a subsistence allowance not exceeding—

(*a*) if the period on any one day during which the witness is necessarily absent from his place of residence, business or employment to attend as aforesaid does not exceed four hours, six shillings in respect of that day;

(*b*) if the said period on any one day exceeds four hours but does not exceed eight hours, twelve shillings and sixpence in respect of that day;

(*c*) if the said period on any one day exceeds eight hours, fifteen shillings and sixpence in respect of that day.

6. A witness at an inquest who is necessarily absent from his place of residence overnight in order to attend as a witness may be paid a night allowance not exceeding the expense reasonably incurred for board and lodging for that night or a sum of fifty shillings a night, whichever be the less.

7.—(1) Where a witness travels to or from an inquest by railway or other public conveyance, he may be paid in respect thereof the fare actually paid:

Provided that, unless for a special reason the coroner otherwise directs, only second class fare shall be allowed for travel by railway.

(2) Where a witness at an inquest travels to or from the inquest by a hired vehicle, he may be paid in respect thereof—

(*a*) in a case of urgency or where no public service is available, the amount of the fare and any reasonable gratuity paid ; and

(*b*) in any other case, the amount of the fare for travel by the appropriate public services.

(3) Where a witness at an inquest travels to or from the inquest by a private conveyance, he may be paid in respect thereof—

(*a*) in any case where the witness travels by motor vehicle and the coroner is satisfied that the use of the vehicle results in a substantial saving of time or is otherwise reasonable, a sum not exceeding sevenpence halfpenny a mile each way ; and

(*b*) in any other case, a sum not exceeding threepence a mile each way.

(4) There may be paid—

(*a*) in respect of his travelling expenses to a witness at an inquest who, in the opinion of the coroner, is suffering from a serious illness, or

(*b*) in respect of the carriage of heavy exhibits,

such sums, in excess of the sums payable under the preceding paragraphs of this Rule, as appear to the coroner to have been reasonably incurred.

8.—(1) Notwithstanding anything contained in the preceding Rules no sum shall be paid under these Rules in respect of—

(*a*) a member of a police force attending an inquest in his capacity as such ;

(*b*) a whole-time officer of a prison attending an inquest in his capacity as such ;

(*c*) a prisoner produced at an inquest in custody ;

(*d*) a coroner's officer attending an inquest in his capacity as such.

(2) In this Rule "prison" means a prison, remand centre, detention centre or Borstal institution.

9.—(1) In these Rules any reference to a witness includes a reference to a person summoned as a witness.

(2) The Interpretation Act 1889(**a**) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament, and section 38(2) of that Act shall apply as if these Rules were an Act of Parliament and the Rules revoked by these Rules were enactments repealed thereby.

10. The Rules specified in the Schedule to these Rules are hereby revoked.

11. These Rules may be cited as the Coroners (Fees and Allowances) Rules 1966 and shall come into operation on 14th February 1966.

Roy Jenkins,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
5th January 1966.

(**a**) 52 & 53 Vict. c. 63.

Regulation 10

SCHEDULE

RULES REVOKED

Rules	References
The Coroners (Fees and Allowances) Rules 1955.	S.I. 1955/1668 (1955 I, p. 521).
The Coroners (Fees and Allowances) Rules 1958.	S.I. 1958/285 (1958 I, p. 364).
The Coroners (Fees and Allowances) (No. 2) Rules 1958.	S.I. 1958/1716 (1958 I, p. 365).
The Coroners (Fees and Allowances) Rules 1960.	S.I. 1960/227 (1960 I, p. 774).
The Coroners (Fees and Allowances) Rules 1962.	S.I. 1962/2069 (1962 III, p. 2495).

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules consolidate with amendments the Rules specified in the Schedule. The principal amendments increase the allowances payable to witnesses at inquests under Rule 5 (subsistence allowance) and Rule 6 (night allowance); and Rule 7(2) provides a new basis for calculating travelling allowance where the witness travels by a hired vehicle.