



**Dealing with requests from  
Coroner's Courts: information for  
Camden staff**

## **1 Introduction and Purpose of Guidance**

The Coroner's Courts may ask CSFH to either provide disclosure of documents or witness statements to the Coroner's Court. This is likely to arise where a young person has died and the young person was known to CSFH.

Sometimes a staff member, most likely an allocated social worker, will be called on to give evidence to an inquest. This document provides information to CSFH staff on what to do when such requests arise from the Coroner's Court.

## **2 General information about the Coroners Court and inquests**

A coroner's inquest is held if:

1. the cause of death is unknown
2. a person died a violent, unnatural or unexpected death
3. a person died in prison or police custody
4. a person died when detained under the provisions of the Mental Health Act 1983.

For example, the suicide of a young person is very likely to lead to an inquest.

The role of an inquest is:

- to ascertain the matters set out in the Coroner's and Justice Act 2009 and:
- where applicable, to ensure that action is taken to prevent other deaths from occurring in similar circumstances; this will be in the form of a report, normally addressed to public bodies such as local authorities, under a Regulation 28 Prevention of Future Deaths Reports.

The matters that must be ascertained by the inquest under the Act are:

1. who died
2. when did they die
3. where did they die
4. how did they come by their death; this latter question usually forms the majority of the inquest investigation and hearing.

Where the inquest raises issues relating to Article 2 of the ECHR (protection of life), for example where there is a death in custody or of a detained patient, "how" means "in what

circumstances” and will involve looking at how the deceased came by their death and the role of any public services in the deceased person’s life.

The majority of inquests are heard with a Coroner alone but some inquests are required to be held with a jury, for example self-inflicted or violent deaths in prison.

### **3 Possible conclusions at Inquests**

- Possible conclusions following an inquest will be either a short form conclusion, a narrative conclusion or short form plus a narrative.
- Some examples of short form conclusions are: *natural causes; accident; suicide; unlawful or lawful killing; industrial disease and open verdicts* (where there is insufficient evidence for any other verdict).
- A narrative conclusion is a short summary of how someone came to their death.

### **4 Giving evidence at an inquest**

The London Borough of Camden, like all other local authorities and public bodies can be asked by Coroners from time to time to give evidence at an inquest (as an Interested Person), or to assist the court, by way of a written witness statement. Local authorities can also be required to disclose social care records held about a person.

The Coroner often grants the London Borough of Camden an ‘Interested Person’ (IP) status. This means that the local authority is permitted to participate in an inquest hearing and is required to assist the Coroner with their investigation.

Other Interested Persons will include the family of the deceased and sometimes, the police, an NHS Trust or body, a GP or other public bodies involved in a person’s life. In certain cases, private care home or domiciliary care providers are also given IP status.

Interested Persons have certain rights during the investigation and inquest. This includes the right to be told about the dates of hearings and to receive documents from the Coroner that may be used in the inquest.

In bigger cases, “pre-inquest review hearings” (PIRHs) are held before a final hearing to determine key matters such as the scope of the inquest and the disclosure required.

## **5 Attending an inquest**

If a social worker is required to provide a witness statement they may also be called to give live evidence at court. This means that the social worker will speak to expand upon the witness statement and answer any further questions from the Coroner, the family or any other Interested Persons.

Social Workers can be called upon to provide a witness statement and will receive help with drafting this from Camden's Legal Services (see the process set out below).

Where a social worker will be giving evidence, Camden Legal Services can also arrange a support and preparation meeting to provide social workers with tips and guidance on how to prepare and how to give evidence at court.

## **6 Disclosure**

Disclosure is the process by which organisations such as Camden provide relevant documents and records held to a Coroner's court for the purposes of an investigation. It is very important that disclosure is thorough and there is an obligation to disclose all relevant documents identified within a disclosure request.

Sometimes it is necessary to redact the document to ensure that certain information is not shared with a wider audience. The process of redaction should ordinarily only be done after discussion with Legal Services.

Where Camden has been identified as an Interested Person and the Coroner seeks disclosure of documents and records held, then the following procedures apply:

Ideally, procedures for disclosure should be carried out by the social worker involved with the case; if that social worker is unable to do so, (because they have left for example), then their manager should oversee disclosure.

- The social worker or manager responsible should:
  - notify Legal Services who can assist with carrying out the disclosure request
  - consider the request and identify which documents/records are sought
  - begin compiling all relevant documents into a single file
  - produce a written disclosure statement setting out what searches were carried out in order to fulfil the disclosure request so that a quality assurance process can be followed.

A disclosure statement (to be kept on file internally) will set out as follows;

- The name of the responsible person and role at the organisation;
  - The date range they are searching and why (this is usually set by the Coroner in the disclosure request);
  - The search parameters or search terms used (e.g. the deceased person's name and any aliases);
- Confirmation of the databases/files searched, namely, confirmation that all files and attachments from MOSAIC have been provided;
  - Confirmation that any other systems and databases where relevant documents may be held or stored have been searched; and
  - (Where applicable) confirmation that the legal file has been searched and that
  - those documents that are disclosable have been included with the disclosure. The last step can only be carried out by Legal Services who will need to check whether any of the documents in the legal file are legally privileged.

## **7 Procedures**

- All requests from Coroner's Courts should be sent to the MASH email inbox in the first instance to ensure that the email is passed on to the relevant person.
- [LBCMASHadmin@camden.gov.uk](mailto:LBCMASHadmin@camden.gov.uk)
- Requests are normally addressed by the Coroner's Court to the social worker that was working with the family or young person at the relevant time. In the event that the social worker to whom the email is addressed has left Camden or the case has been closed, the MASH will need to ensure that a suitable person, usually the relevant team manager, provides the statement and deals with the request.
- The MASH should pass on any request to the allocated social worker or check MOSAIC to identify the manager/team that last held the case.
- If the case is closed the request must go to the Service Manager of the service that last worked with the child/family and who will nominate a social worker/manager to undertake searches and disclosure and provide a witness statement.

- The social worker (or identified person) should immediately contact their line manager and relevant service manager and notify Legal Services of the Coroner's request.
- Legal Services will then contact the social worker/manager to discuss what information needs to be provided (if any) and advice on what to include in the statement.
- Coroners may request specific information from the file be summarised in a witness statement from the social worker but occasionally they may also ask for disclosure of certain documents. In all cases it is important to seek guidance from Legal Services who can assist with this process.
- If CSFH believes the documents requested by the Coroner are too wide or they have concerns about redactions, they should discuss this with Legal Services who will take this up with the Coroner's office. Legal Services can on occasion make submissions that disclosure ought to be limited to more relevant documents.
- Some cases may have a legal file but a copy of relevant documents produced by legal should also be on MOSAIC.
- All witness statements and the proposed file of documents for disclosure must be checked by Legal Services before being sent to the Coroner's Court. In certain cases, or for longer/contentious inquest hearings, Camden may instruct external council who can also provide assistance with this process.