



Ministry of  
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The Coroner  
The Chief Executive,  
County Councils in England  
The Chief Executive,  
Metropolitan Districts  
The Chief Executive, London Boroughs  
The Chief Executive,  
Relevant Unitary Authorities

9 July 2008

## **CORONERS' CIRCULAR**

### **INCREASES IN FINANCIAL LOSS ALLOWANCES FOR JURORS AND ORDINARY WITNESSES, IN FEES FOR PROFESSIONAL WITNESSES IN CORONERS' COURTS, AND IN FEES FOR CORONERS' POST-MORTEMS**

1. The Secretary of State, with the consent of the Treasury, and following consultation with the Local Government Association, has exercised the powers of Section 24 of the Coroners Act 1988 to amend the following fees from 1 October 2008:

#### **(a) Financial loss allowance**

Where a juror or witness, in consequence of his attendance at an inquest, has incurred any expenditure to which he would not otherwise be subject, or any loss of earnings, or of social security benefits, which he would otherwise have received, he may be paid a sum not exceeding:

#### **RATE:**

- |  |        |
|--|--------|
| (i) where the period of time over which earnings or benefits are lost on any one day does not exceed 4 hours | £32.95 |
| (ii) where the said period if time exceeds 4 hours   | £65.60 |

OR

- (iii) the full amount lost if less than (i) or (ii) above, as appropriate.

**(b) Professional Witnesses - Overnight allowance**

Where a professional witness is necessarily absent from his place of residence overnight for the purpose of attending to give evidence, an allowance in respect of each such night not exceeding:

**RATE:**

(i) within a 5 mile radius of Charing Cross	£94.05
(ii) elsewhere	£60.95

**(c) Post mortem examination**

**RATE:**

(i) For making a post-mortem examination and reporting the results to the coroner	£96.80
(ii) Post-mortem examination requiring additional skills	£276.90

**(d) Travel allowances**

Pedal cycles	20p
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No other fees are being amended. A schedule of all the current fees is attached to this circular.

2. Extra copies of this circular are attached, in the case of the coroner for the information of his or her deputy and assistant deputy and in the case of the Chief Executive for the Council's chief financial officer.

3. Any enquiries about this circular should be made to: Mr Brian Patterson, Coroners Unit, 8<sup>th</sup> Floor (8.51), 102 Petty France, London. SW1H 9AJ (telephone 020 3334 6404) .

**JUDITH BERNSTEIN**  
Head of Current Coroner Policy

## SCHEDULE

### ALLOWANCES PAYABLE TO JURORS AND WITNESSES IN CORONERS' COURTS

#### NOTE

No allowance is payable under these arrangements to:

- (a) a member of the police force attending an inquest in his official capacity;
- (b) a whole-time officer of an institution to which the Prison Act 1952 applies, attending an inquest in his official capacity;
- (c) a person in custody produced at an inquest;
- (d) a coroner's officer attending an inquest in his official capacity.

#### 1. JURORS AND ORDINARY WITNESSES

##### (b) Subsistence allowance

Where a juror or witness is necessarily absent from his place of residence, business or employment for the purpose of serving as a juror or attending to give evidence on any one day for a period:

	<b>RATE:</b>	<b>EFFECTIVE FROM</b>
(i) up to 5 hours	£2.40	01.04.07
(ii) 5-10 hours	£4.75	01.04.07
(iii) over 10 hours	£10.35	01.04.07

##### (c) Overnight allowance

Where a juror or witness is necessarily absent from his place of residence overnight for purpose of serving as a juror or attending to give evidence, the subsistence allowance in respect of each period of 24 hours or fraction thereof during which he is absent overnight shall not exceed:

	<b>RATE:</b>	<b>EFFECTIVE FROM</b>
(i) within a 5 mile radius of Charing Cross	£100.70	01.04.07
(ii) elsewhere	£69.20	01.04.07

**(d) Financial loss allowance**

Where a juror or witness, in consequence of his attendance at an inquest, has incurred any expenditure to which he would not otherwise be subject, or any loss of earnings, or of social security benefits, which he would otherwise have received, he may be paid a sum not exceeding:

	<b>RATE:</b>	<b>EFFECTIVE FROM</b>
(i) where the period of time over which earnings or benefits are lost on any one day does not exceed 4 hours	£32.95	01.10.08
(ii) where the said period if time exceeds 4 hours	£65.60	01.10.08

OR

(iii) the full amount lost if less than (i) or (ii) above, as appropriate.

**NOTE**

**Abnormally long inquests**

Where an inquest is unusually long, the financial loss allowance payable to jurors may be increased, at the discretion of the coroner, to a maximum of twice the above rates, after the first 10 days attendance.

**2. PROFESSIONAL WITNESSES**

**(a) Professional witness allowance**

EITHER

(a) Where the witness practising as a member of the medical or legal profession or as a dentist or veterinary surgeon attends to give professional evidence on any one day and does not employ a person to take care of his practice during his absence the maximum fee payable is as follows:

	<b>RATE:</b>	<b>EFFECTIVE FROM</b>
(i) attendance necessitating an absence from place of residence or practice of up to 2 hours	£88.50	01.04.07
(ii) attendance necessitating an absence of 2-4 hours	£124.00	01.04.07
(iii) attendance necessitating an absence of 4-6 hours	£184.45	01.04.07



	<b>RATE:</b>	<b>EFFECTIVE FROM</b>
(i) within 5 miles of Charing Cross	£100.70	01.04.07
(ii) elsewhere	£69.20	01.04.07

#### **4. POST MORTEM FEES**

##### **(a) Post mortem examination**

	<b>RATE:</b>	<b>EFFECTIVE FROM</b>
(i) For making a post-mortem examination and reporting the results to the coroner	£96.80	01.10.08
(ii) Post-mortem examination requiring additional skills	£276.90	01.10.08

#### **NOTE**

The Justice Secretary understands that some post-mortem examinations, which form a very small proportion of the total ordered by coroners, require special skills, additional work, and responsibility beyond that expected in a normal or “routine” case. The cases requiring post-mortem examination of this type are usually those involving suspected homicide, road or other accidents likely to lead to serious criminal charges, deaths during anaesthesia and deaths involving, or likely to involve, allegations against the medical profession or another third party. Among the criteria that distinguish this type of examination from that in a “routine” case are:

- The added responsibility carried by the pathologist, for example in relation to possible criminal proceedings arising from his findings;
- The frequent requirement for the pathologist to travel long distances at any time of the day or night at short notice to make a preliminary examination of the body and to wait while photographs are taken before the body can be removed to the mortuary for the autopsy; and
- The need for special tests involving liaison with, for example, bacteriologists. As a consequence of the protraction of the investigation the pathologist may suffer a loss of other work.

It is, however, difficult to define cases by reference to criteria of this kind, and any attempt to list the type of case likely to require a post-mortem examination involving additional skills would be unlikely to be comprehensive. The Justice Secretary has therefore concluded that the decision whether a particular case is potentially one requiring a post-mortem examination involving additional skills must be a matter for the coroner’s discretion. (It should be noted that where they are applicable, these rates are payable without any reference to any fee the pathologist may be entitled to receive from other sources for assistance given to the police). A coroner has no power to pay a higher fee for a post-mortem examination report than the additional skills fee, even if the pathologist

refuses to perform the post-mortem examination in the absence of such a higher fee.

**(b) Travelling allowances**

	<b>RATE:</b>	<b>EFFECTIVE FROM</b>
(i) in respect of travel by private conveyance to or from a post-mortem examination, per mile each way		
Motor cars: Public Transport Rate (including motor cycles)	28p	01.04.07
Motor cars: Standard Rate (including motor cycles)	45p	01.04.07

**NOTE**

The public transport rate should be paid unless the coroner is satisfied that no adequate public transport was available on the date and at the time in question, or that it would be unreasonable to expect the pathologist concerned to carry his equipment etc other than by private transport.

Parking fees – fees actually and reasonably incurred

(ii) in respect of travel to and from an inquest for the purpose of attending to give evidence (see section 4 below)

**5. TRAVELLING ALLOWANCES FOR ALL JURORS AND WITNESSES**

(a) where a witness or juror travels to and from an inquest by public conveyance: the fare actually paid (in the case of travel by railway, the standard class fare only)

(b) where a witness or juror travels to and from an inquest by hired vehicle:

(i) in case of urgency where no public service vehicle is available	the amount of fare paid plus any reasonable gratuity paid
(ii) in any other case	the amount of the fare for the journey by the appropriate public services

(c) where a juror or witness travels to and from an inquest by private conveyance an allowance per mile each way be paid as follows:

	<b>RATE:</b>	<b>EFFECTIVE FROM</b>
Motor cycles		
(i) Public transport rate	28p	01.04.07
(ii) Standard rate	45p	01.04.07
Motor cars		
(i) Public transport rate	28p	01.04.07
(ii) Standard rate	45p	01.04.07
Pedal cycles	20p	01.10.08

## **NOTES**

Public transport rate is payable when the coroner is not satisfied that the use of a motor cycle or motor car results in a substantial saving of time or is otherwise reasonable. Standard rate is payable when the coroner is so satisfied.

The allowance in (ii) above to be increased by 2p per mile each way in respect of the first passenger carried to whom an allowance would otherwise have been payable for travel to and from an inquest, and by an additional 1p per mile each additional passenger so carried.

Where the use of a motor car results in substantial saving of time or is otherwise reasonable, the allowance in (ii) above may be increased by the amount of any expenditure necessarily incurred on parking fees.

(d) Where a witness at any inquest is, in the opinion of the coroner, suffering from a serious illness, or where it is necessary to carry heavy exhibits, such sums as in the opinion of the coroner have been reasonably incurred may be paid.