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Coroner's Courts are radically different to other courts

Adversarial	Adversarial	Inquisitorial
Civil Courts	Criminal Courts	Coroner's court
Organised on a national basis	Parties R (Crown) v defendants	Interested persons includes family members
Proceedings start with an application	Commencement of process by the Crown Prosecution Service	No application. Process commences when the coroner is informed of a death
Pleading documents define issues	Indictment	Questions to be answered: Who, Where, When and How – to reach a conclusion- Short form/narrative
Not open to the public Hearings are publicised on court lists	Open to the public and press Hearings are publicised on court lists	Open to the public and press Hearings are publicised on the coroner's website and on court lists
Court bundle includes statements	No court bundle	Court bundle includes statements
Judgement/order/award damages	Verdict of guilty or not guilty	Conclusions, no damages/award of costs/ Coroner can draw lessons- PRD 28 report



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Judge make an order/findings	Judge passes sentence	No one on trial- Coroner or Jury are not to make any determination on other matters including criminal or civil liability (s.10(2)) Only to determine Who, When, Where and How (s.10(3)) focus is on the deceased and is the only person named on the Record of Inquest. Coroner decides: ·When body is released for funeral ·Scope of the inquiry (breadth and depth) ·Leads questioning of witnesses Reaches conclusion (if no jury)
Judge can be solicitor or barrister Parties lead on questioning witnesses	Judge can be solicitor or barrister Parties lead on questioning witnesses	Coroner can be solicitor or barrister or medical practitioner. Role of Coroner- investigative style, decides on witnesses, leads the questions
Balance of probabilities	Beyond all reasonable doubt	Balance of probabilities inc suicide cases
Witness is cross examined	Witness is cross examined	Witness is not cross examined; however, witnesses can be asked about inconsistencies
Hearsay evidence is admissible	Hearsay evidence is not admissible	Hearsay evidence is admissible
Appeal process available	Appeal process available	No appeal process and no award of costs Judicial review is available