



COVID-19– Geldards Public Sector Update

Business Emergency Advisory Team

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Inquests and the Corona Virus

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Key Resources

- Chief Coroner's Guidance, Advice and Law Sheets

<https://www.judiciary.uk/related-offices-and-bodies/office-chief-coroner/guidance-law-sheets/coroners-guidance/>

- Coroners and Justice Act 2009
- Coronavirus Act 2020
- Notification of Deaths Regulations 2019
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

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Key changes

- Mostly in Coroners administrative practice
- See e.g. Medical Certificate as to cause of Death (MCCD)



When will a CV death result in an inquest?

- **SS 1(1) & 1(2) of the Coroners & Justice Act 2009.**
- the deceased died a violent or unnatural death or
- the cause of death is unknown or
- the deceased died while in custody or otherwise in state detention (not DoLS)

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When will a CV death result in an inquest?

- Ministry of Justice Guidance on the Notification of Deaths Regulations 2019 at para 24:
- *“A death is typically considered to be unnatural if it has not resulted entirely from a naturally occurring disease process running its natural course, where nothing else is implicated”*

Deaths in the workplace

- CC Guidance no. 37



Deaths in the workplace

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- **The fundamentals remain ...**



Deaths in the workplace

- Health Protection (Notification) Regulations 2010



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Deaths in the workplace

- Health Protection (Notification) Regulations 2010
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 ('RIDDOR')
- Regulation 6(2) of RIDDOR : *"...any person dies as a result of occupational exposure to a biological agent"*

<https://www.hse.gov.uk/news/riddor-reporting-coronavirus.htm>

- Regulation 3(1)(a) of the Notification of Deaths Regulations 2019.

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Personal Protective Equipment (PPE)



Deaths in the workplace: PPE

- R (Carole Smith) v HM Assistant Coroner for North West Wales [2020] EWHC 781 (Admin)
- The general does not prove the specific



When will there be an inquest?

- R (Fullick) v HM Senior Coroner for Inner North London [2015] EWHC 3522 (Admin)

- CC Guidance 37 @ 12

“If the coroner decides to open an investigation, then he or she may need to consider whether any failures of precautions in a particular workplace caused the deceased to contract the virus and so contributed to death”

Preparing for inquests related to CV19

- Keep records



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- Audit trail decision making



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- Evidence how your challenging context has influenced your decisions



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Preparing for inquests related to CV19

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- Evidence how your challenging context has influenced your decisions
- At the inquest: scope is key
- Juries: S7 Coroners & Justice Act 2009

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Maintaining the local economy

Tiffany Cloynes & Clare Hardy

Issues

- Impact of coronavirus on local authority's own finances
- Impact on businesses and employment in local authority's area
- Support during the crisis
- Strategies for recovery
- Impact on other objectives

Local authority finances

- Business rates relief
- Reduced opportunities for income from services
- Section 114 Local Government Finance Act 1988
 - Duty of chief finance officer
 - Call for duty to be suspended

Role of local authorities in preparing for recovery

- Support during the crisis
 - Supplier Relief – PPN 02/20
 - Actions of local authority
- Strategies for economic recovery
 - Identify impact on areas of the economy
 - Develop action plans
 - Consult with businesses and members of the public

Impact on other objectives

- What effect will protecting public health and maintaining the economy have on other objectives?
- Climate change and sustainability
 - Effect of restrictions on use of public transport
 - Consistency with local plans
- Community engagement
 - How can we encourage positive public attitude to continue?

Any questions



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