



Coroners and Justice Act 2009

2009 CHAPTER 25

PART 1

CORONERS ETC

CHAPTER 7

SUPPLEMENTARY

Interpretation

47 “Interested person”

- (1) This section applies for the purposes of this Part.
- (2) “Interested person”, in relation to a deceased person or an investigation or inquest under this Part into a person's death, means—
 - (a) a spouse, civil partner, partner, parent, child, brother, sister, grandparent, grandchild, child of a brother or sister, stepfather, stepmother, half-brother or half-sister;
 - (b) a personal representative of the deceased;
 - (c) a medical examiner exercising functions in relation to the death of the deceased;
 - (d) a beneficiary under a policy of insurance issued on the life of the deceased;
 - (e) the insurer who issued such a policy of insurance;
 - (f) a person who may by any act or omission have caused or contributed to the death of the deceased, or whose employee or agent may have done so;
 - (g) in a case where the death may have been caused by—
 - (i) an injury received in the course of an employment, or

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- (ii) a disease prescribed under section 108 of the Social Security Contributions and Benefits Act 1992 (c. 4) (benefit in respect of prescribed industrial diseases, etc),
 - a representative of a trade union of which the deceased was a member at the time of death;
 - (h) a person appointed by, or representative of, an enforcing authority;
 - (i) where subsection (3) applies, a chief constable;
 - (j) where subsection (4) applies, a Provost Marshal [^{F1}of a service police force or of the tri-service serious crime unit];
 - (k) where subsection (5) applies, the [^{F2}Director General of the Independent Office for Police Conduct];
 - [^{F3}(ka) where subsection (5A) applies, the Service Police Complaints Commissioner;]
 - (l) a person appointed by a Government department to attend [^{F4}or follow] an inquest into the death or to assist in, or provide evidence for the purposes of, an investigation into the death under this Part;
 - (m) any other person who the senior coroner thinks has a sufficient interest.
- (3) This subsection applies where it appears that a person has or may have committed—
 - (a) a homicide offence involving the death of the deceased, or
 - (b) a related offence (other than a service offence).
- (4) This subsection applies where it appears that a person has or may have committed—
 - (a) the service equivalent of a homicide offence involving the death of the deceased, or
 - (b) a service offence that is a related offence.
- (5) This subsection applies where the death of the deceased is or has been the subject of an investigation managed or carried out by the [^{F5}Director General of the Independent Office for Police Conduct] in accordance with Part 3 of Schedule 3 to the Police Reform Act 2002 (c. 30), including that Part as extended or applied by or under any statutory provision (whenever made).
- [^{F6}(5A) This subsection applies where the death of the deceased is or has been the subject of an investigation directed or carried out by the Service Police Complaints Commissioner in accordance with provision made under section 340P of the Armed Forces Act 2006.]
- (6) “Interested person”, in relation to an object that is or may be treasure or treasure trove, or an investigation or inquest under Chapter 4 concerning such an object, means—
 - (a) the British Museum, if the object was found or is believed to have been found in England;
 - (b) the National Museum of Wales, if the object was found or is believed to have been found in Wales;
 - (c) the finder of the object or any person otherwise involved in the find;
 - (d) the occupier, at the time the object was found, of the land where it was found or is believed to have been found;
 - (e) a person who had an interest in that land at that time or who has had such an interest since;
 - (f) any other person who the Coroner for Treasure thinks has a sufficient interest.

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- (7) For the purposes of this section, a person is the partner of a deceased person if the two of them (whether of different sexes or the same sex) were living as partners in an enduring relationship at the time of the deceased person's death.

Textual Amendments

- F1** Words in s. 47(2)(j) inserted (1.5.2022 for specified purposes, 5.12.2022 in so far as not already in force) by [Armed Forces Act 2021 \(c. 35\)](#), s. 24(1), [Sch. 5 para. 38](#); [S.I. 2022/471](#), reg. 2(e); [S.I. 2022/1095](#), reg. 4
- F2** Words in s. 47(2)(k) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 9 para. 71\(a\)](#); [S.I. 2017/1249](#), reg. 2 (with reg. 3)
- F3** S. 47(2)(ka) inserted (1.11.2022 for specified purposes, 19.6.2023 in so far as not already in force) by [Armed Forces Act 2021 \(c. 35\)](#), s. 24(1), [Sch. 4 para. 7\(a\)](#); [S.I. 2022/1095](#), reg. 3; [S.I. 2023/621](#), reg. 2
- F4** Words in s. 47(2)(l) inserted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), [ss. 40\(5\)](#), 51(3)
- F5** Words in s. 47(5) substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 9 para. 71\(b\)](#); [S.I. 2017/1249](#), reg. 2 (with reg. 3)
- F6** S. 47(5A) inserted (1.11.2022 for specified purposes, 19.6.2023 in so far as not already in force) by [Armed Forces Act 2021 \(c. 35\)](#), s. 24(1), [Sch. 4 para. 7\(b\)](#); [S.I. 2022/1095](#), reg. 3; [S.I. 2023/621](#), reg. 2

48 Interpretation: general

- (1) In this Part, unless the context otherwise requires—
- “the 1953 Act” means the Births and Deaths Registration Act 1953 (c. 20);
 - “the 1988 Act” means the Coroners Act 1988 (c. 13);
 - “active service” means service in—
 - (a) an action or operation against an enemy (within the meaning given by section 374 of the Armed Forces Act 2006 (c. 52)),
 - (b) an operation outside the British Islands for the protection of life or property, or
 - (c) the military occupation of a foreign country or territory;
 - “area”, in relation to a senior coroner, area coroner or assistant coroner, means the coroner area for which that coroner is appointed;
 - “area coroner” means a person appointed under paragraph 2(3) of Schedule 3;
 - “assistant coroner” means a person appointed under paragraph 2(4) of Schedule 3;
 - “Assistant Coroner for Treasure” means an assistant coroner, designated under paragraph 7 of Schedule 4, acting in the capacity of Assistant Coroner for Treasure;
 - “body” includes body parts;
 - “chief constable” means—
 - (a) a chief officer of police (within the meaning given in section 101(1) of the Police Act 1996 (c. 16));
 - (b) the Chief Constable of the Ministry of Defence Police;

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(c) the Chief Constable of the Civil Nuclear Constabulary;

(d) the Chief Constable of the British Transport Police;

“the Chief Coroner” means a person appointed under paragraph 1 of Schedule 8;

“the Common Council” means the Common Council of the City of London, and “common councillor” is to be read accordingly;

“coroner area” is to be read in accordance with paragraph 1 of Schedule 2;

“the Coroner for Treasure” means a person appointed under paragraph 1 of Schedule 4;

“Coroners regulations” means regulations under section 43;

“Coroners rules” means rules under section 45;

“the coroner system” means the system of law and administration relating to investigations and inquests under this Part;

“the court of trial” means—

(a) in relation to an offence (other than a service offence) that is tried summarily, the magistrates' court by which the offence is tried;

(b) in relation to an offence tried on indictment, the Crown Court;

(c) in relation to a service offence, a commanding officer, a Court Martial or the Service Civilian Court (depending on the person before whom, or court before which, it is tried);

“Deputy Chief Coroner” means a person appointed under paragraph 2 of Schedule 8;

“document” includes information stored in an electronic form;

“enforcing authority” has the meaning given by section 18(7) of the Health and Safety at Work etc. Act 1974 (c. 37);

“functions” includes powers and duties;

“homicide offence” has the meaning given in paragraph 1(6) of Schedule 1;

“interested person” is to be read in accordance with section 47;

“land” includes premises within the meaning of the Police and Criminal Evidence Act 1984 (c. 60);

“local authority” means—

(a) in relation to England, a county council, the council of any district comprised in an area for which there is no county council, a London borough council, the Common Council or the Council of the Isles of Scilly;

(b) in relation to Wales, a county council or a county borough council;

“medical examiner” means a person appointed under [F7section 18A or 18B];

“person”, in relation to an offence of corporate manslaughter, includes an organisation;

“prosecuting authority” means—

(a) the Director of Public Prosecutions, or

(b) a person of a description prescribed by an order made by the Lord Chancellor;

“related offence” has the meaning given in paragraph 1(6) of Schedule 1;

“relevant authority”, in relation to a coroner area, has the meaning given by paragraph 3 of Schedule 2 (and see paragraph 2 of Schedule 22);

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“senior coroner” means a person appointed under paragraph 1 of Schedule 3;

“the service equivalent of a homicide offence” has the meaning given in paragraph 1(6) of Schedule 1;

“service offence” has the meaning given by section 50(2) of the Armed Forces Act 2006 (c. 52) (read without regard to any order under section 380 of that Act) and also includes an offence under—

- (a) Part 2 of the Army Act 1955 (3 & 4 Eliz. 2 c. 18) or paragraph 4(6) of Schedule 5A to that Act,
- (b) Part 2 of the Air Force Act 1955 (3 & 4 Eliz. 2 c. 19) or paragraph 4(6) of Schedule 5A to that Act, or
- (c) Part 1 or section 47K of the Naval Discipline Act 1957 (c. 53) or paragraph 4(6) of Schedule 4A to that Act;

“service police force” means—

- (a) the Royal Navy Police,
- (b) the Royal Military Police, or
- (c) the Royal Air Force Police;

“state detention” has the meaning given by subsection (2) [^{F8}(read with subsection (2A))];

“statutory provision” means provision contained in, or in an instrument made under, any Act (including this Act);

“treasure” means anything that is treasure for the purposes of the Treasure Act 1996 (c. 24) (and accordingly does not include anything found before 24 September 1997);

“Treasure regulations” means regulations under section 44;

“treasure trove” does not include anything found on or after 24 September 1997;

[^{F9}“tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.]

- (2) [^{F10}Subject to subsection (2A),] a person is in state detention if he or she is compulsorily detained by a public authority within the meaning of section 6 of the Human Rights Act 1998 (c. 42).

[^{F11}(2A) But a person is not in state detention at any time when he or she is deprived of liberty under section 4A(3) or (5) or 4B of the Mental Capacity Act 2005.]

- (3) For the purposes of this Part, the area of the Common Council is to be treated as including the Inner Temple and the Middle Temple.
- (4) A reference in this Part to a coroner who is responsible for conducting an investigation under this Part into a person's death is to be read as a reference to the coroner who is under a duty to conduct the investigation, or who would be under such a duty but for the suspension of the investigation under this Part.
- (5) A reference in this Part to producing or providing a document, in relation to information stored in an electronic form, is to be read as a reference to producing or providing a copy of the information in a legible form.

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Textual Amendments

- F7** Words in s. 48(1) substituted (1.10.2023) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 169(4)**, 186(6); S.I. 2023/1035, [reg. 2\(b\)](#)
- F8** Words in s. 48(1) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), **ss. 178(2)**, 183(1)(5)(e); S.I. 2017/399, [reg. 2](#), [Sch. para. 37](#)
- F9** Words in s. 48(1) inserted (1.5.2022 for specified purposes, 5.12.2022 in so far as not already in force) by [Armed Forces Act 2021 \(c. 35\)](#), s. 24(1), **Sch. 5 para. 39**; S.I. 2022/471, [reg. 2\(e\)](#); S.I. 2022/1095, [reg. 4](#)
- F10** Words in s. 48(2) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), **ss. 178(3)**, 183(1)(5)(e); S.I. 2017/399, [reg. 2](#), [Sch. para. 37](#)
- F11** S. 48(2A) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), **ss. 178(4)**, 183(1)(5)(e); S.I. 2017/399, [reg. 2](#), [Sch. para. 37](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A and cross-heading inserted by [2023 c. 41 Sch. 11 para. 1\(1\)](#)
- Sch. 1A inserted by [2023 c. 41 Sch. 11 para. 1\(2\)](#)