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*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Coroners and Justice Act 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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## SCHEDULES

### SCHEDULE 5

#### POWERS OF CORONERS

##### *Power to require evidence to be given or produced*

- 1 (1) A senior coroner may by notice require a person to attend at a time and place stated in the notice and—
- (a) to give evidence at an inquest,
  - (b) to produce any documents in the custody or under the control of the person which relate to a matter that is relevant to an inquest, or
  - (c) to produce for inspection, examination or testing any other thing in the custody or under the control of the person which relates to a matter that is relevant to an inquest.
- (2) A senior coroner who is conducting an investigation under this Part may by notice require a person, within such period as the senior coroner thinks reasonable—
- (a) to provide evidence to the senior coroner, about any matters specified in the notice, in the form of a written statement,
  - (b) to produce any documents in the custody or under the control of the person which relate to a matter that is relevant to the investigation, or
  - (c) to produce for inspection, examination or testing any other thing in the custody or under the control of the person which relates to a matter that is relevant to the investigation.
- (3) A notice under sub-paragraph (1) or (2) must—
- (a) explain the possible consequences, under paragraphs 6 and 7 of Schedule 6, of not complying with the notice;
  - (b) indicate what the recipient of the notice should do if he or she wishes to make a claim under sub-paragraph (4).
- (4) A claim by a person that—
- (a) he or she is unable to comply with a notice under this paragraph, or
  - (b) it is not reasonable in all the circumstances to require him or her to comply with such a notice,
- is to be determined by the senior coroner, who may revoke or vary the notice on that ground.
- (5) In deciding whether to revoke or vary a notice on the ground mentioned in sub-paragraph (4)(b), the senior coroner must consider the public interest in the information in question being obtained for the purposes of the inquest or investigation, having regard to the likely importance of the information.
- (6) For the purposes of this paragraph a document or thing is under a person's control if it is in the person's possession or if he or she has a right to possession of it.

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- (7) The validity of a notice under sub-paragraph (1) or (2) is not limited to the coroner area for which the senior coroner issuing the notice is appointed.
- (8) A reference in this paragraph to a senior coroner is to be read as including the Coroner for Treasure.

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**Commencement Information**

**II** [Sch. 5 para. 1](#) in force at 25.7.2013 by [S.I. 2013/1869](#), [art. 2\(k\)](#)

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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\(2\)](#)