

DCA Circular 1 April 2007

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

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 increase the following fees from 1 April 2007 as per the attached schedule.
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, 5th Floor, Steel House, 11 Tothill Street, London. SW1H 9LH (telephone 020 7210 0031).

JUDITH BERNSTEIN
Coroners Unit

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 produced at an inquest in custody;
- (d) a coroner's officer attending an inquest in his official capacity.

1. JURORS AND ORDINARY WITNESSES

(a) 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:

FROM:	RATE:	EFFECTIVE
(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

(b) 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:

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

(c) 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:

FROM:	RATE:	EFFECTIVE
(i) where the period of time over which earnings or benefits are lost on any one day does not exceed 4 hours	£31.65	01.04.07
(ii) where the said period if time exceeds 4 hours	£63.00	01.04.07

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:

FROM:	RATE:	EFFECTIVE
(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
(iv) attendance necessitating an absence of over 6 hours	£248.00	01.04.07

OR

(b) If the witness necessarily incurs expense in the provision of a person to take care of his practice during his absence, the maximum allowance payable is as follows:

FROM:	RATE:	EFFECTIVE
(i) absence of up to 2 hours	£94.35	01.04.07
(ii) absence over 2 hours but not exceeding 4 hours	£132.50	01.04.07
(iii) absence over 4 hours	£265.00	01.04.07

(In those cases where a locum is necessarily employed and it is not possible or practicable to employ the locum for only half a day, the full reimbursement of the costs of the locum should be made, subject to the maximum of £265.00 per day. Such payment is instead of, not in addition to, the fee otherwise payable; proof of the expense incurred in connection with such a claim should be provided.)

(b) 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:

FROM:	RATE:	EFFECTIVE
(i) within a 5 mile radius of Charing Cross	£90.35	01.04.07
(ii) elsewhere	£58.55	01.04.07

3. EXPERT WITNESSES

(a) Expert witness allowance

An expert witness at an inquest may, for attending to give expert evidence and for work in connection with its preparation, be paid an expert witness allowance of such amount as the coroner may consider reasonable, having regard to the nature and difficulty of the case and the work necessarily involved.

(b) Overnight allowance

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

FROM	RATE:	EFFECTIVE
(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

FROM:	RATE:	EFFECTIVE
(i) For making a post-mortem examination and reporting the results to the coroner	£93.00	01.04.07
(ii) Post-mortem examination requiring additional skills	£266.20	01.04.07

(b) Travelling allowances

FROM:	RATE:	EFFECTIVE
(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:

FROM	RATE:	EFFECTIVE
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	7p	01.04.07

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.