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## UNDERSTANDING THE ROLE OF CORONERS INQUESTS

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This backgrounder provides general information about Inquests in British Columbia. Additional information including a schedule of upcoming inquests is available at: [www.gov.bc.ca/coroners/inquests](http://www.gov.bc.ca/coroners/inquests).

A coroners inquest is a public inquiry that serves three primary functions:

- To determine the facts related to a death including the identity of the deceased, and how, when, where and by what means the individual came to their death, as well as a classification for the death.
- To make recommendations, where appropriate and supported by evidence, to prevent deaths in similar circumstances.
- To ensure public confidence that the circumstances surrounding the death of an individual will not be overlooked, concealed or ignored.

Inquests are conducted by a presiding coroner before members of a five to seven-person jury.

Inquests are open to the public including the media. Media may report on witness testimony but are also subject to some restrictions which are detailed in the [Media Information Guide to a Coroners Inquest](#).

### Determining facts not fault

Inquests determine the facts behind an individual's death. An inquest can reveal information about issues and/or gaps in services that, if addressed, may help prevent future deaths in similar circumstances. Inquests can also raise awareness about a specific cause of death and may also lead to recommendations that help prevent deaths.

The Inquests process is not a forum to resolve civil disputes or conduct prosecutions. It is also not a trial because there is no accused, defendant, parties or plaintiff. The legislative provisions for a coroners inquest are contained within British Columbia's [Coroners Act, Part 4](#), Sections 18 to 39 and [Coroners Regulation, Section 3](#).

The presiding coroner ensures the jury hears evidence from witnesses under summons and ensures that the jury maintains the goal of fact-finding, not fault-finding.

By law, the jury is restricted to finding the facts of the case. It may not make any finding that implies legal responsibility.

The strict rules of evidence for a civil or criminal trial do not apply at a coroner's inquest, because no one is on trial.

The coroner, assisted by inquest counsel, is responsible for determining the evidence that is relevant and admissible for the purposes of the inquest.

The [BC Coroners Service](#) investigates over 5,000 deaths annually. Of that number, less than one per cent of those deaths are reviewed at inquest.

While every death represents the loss of a loved one, inquests are not a routine occurrence. On average, there are approximately eight to 14 inquests per year.

Directions by the chief coroner to hold an inquest are only made after careful consideration of the circumstances of the death.

### How Inquests are selected

The **Coroners Act** requires inquests must be held in certain cases including deaths in the custody of a peace officer (such as a police officer or sheriff).

In all other cases, the decision to hold an inquest is made by the chief coroner. The legislation allows the chief coroner to call an inquest in cases where:

- “The public has an interest in being informed of the circumstances of the death,” and
- “The death resulted from a dangerous practice or circumstance, and similar deaths could be prevented if recommendations were made to the public or an authority.”

Some examples of investigations in which the chief coroner will review the circumstances to determine whether an inquest should be held include, but are not limited to:

- Deaths in provincial or federal correctional facilities;
- Deaths of persons held involuntarily in mental health facilities;
- Deaths involving domestic violence;
- Non-natural workplace deaths; and,
- Child deaths in which the Ministry of Children and Family Development (MCFD) played a role in the child's life prior to death.

Coroners who investigate a death for which they believe an inquest could be beneficial will forward their recommendation to the chief coroner for consideration.

Under the legislation, the Minister of Public Safety and Solicitor General may also order the chief coroner to conduct an inquest if the minister is satisfied that it is necessary or desirable in the public interest.

### What to expect before an inquest

An inquest may vary in length depending on complexity and the number of witnesses. Most inquests last between three and 10 days.

The BC Coroners Service strives to hold inquests in the community where the death occurred. Inquests are typically held at courthouses around the province but may also be held at other venues.

It is not unusual for an inquest to occur years after a death has occurred.

Many deaths that go to inquest are also the subject of other external investigations and/or legal proceedings that need to conclude before a Coroners investigation can be completed.

Families and their representatives are notified that an inquest will be held in advance of an inquest being announced to the public.

Recognizing that participating in a coroners inquest can trigger grief and emotional stress for families and loved ones, the BC Coroners Service Affected Persons Liaison is in contact with families before and during an inquest to provide a range of support.

Family members are not required to attend the inquest unless required as witnesses. The family may apply for participant status at the inquest and be represented by legal counsel.

Any other person or agency who believes they could be affected by a jury's findings may also apply for participant status. The decision to grant participant status is at the discretion of the presiding coroner.

## What happens during the Inquest?

### Inquest opening

The presiding coroner will outline process and what is expected to happen during the inquest.

Inquest counsel outlines evidence.



### Witnesses are called to testify

Each witness will swear an oath or solemnly affirm to tell the truth before a sheriff.



### Counsel questions witnesses

Inquest counsel will question the witness first.

Counsel for the participants then have an opportunity to ask questions.



### Jury & Presiding coroner question witnesses

Jury members may then question the witness.

The presiding coroner may also ask questions of the witness to clarify evidence.

Testimony continues in this manner until all witnesses have been questioned.

In most cases, after giving evidence, the witness is free to leave, or stay in the courtroom.

At the end of the inquest, the presiding coroner will provide the jury with instructions for their deliberations.

Once the jury has deliberated, they will present their findings and recommendations to the court and the presiding coroner will close the inquest.

A Verdict at Inquest will then be issued and published online outlining the jury's recommendations.

## What happens after an inquest?

The jury may make recommendations to prevent future deaths from occurring under similar circumstances.

These recommendations are included in a public document released at the conclusion of the inquest referred to as the Verdict at Coroner's Inquest (Verdict). The Verdict is published online as part of the Inquests' process at [www.gov.bc.ca/coroners/inquests](http://www.gov.bc.ca/coroners/inquests).

Upon conclusion of the inquest, a written report known as a Verdict is prepared. It includes the classification of the death and any jury recommendations on how to prevent deaths in similar circumstances. There are two types of Verdict documents posted on this site:

**Verdict:** The jury's verdict is usually posted at the end of the last day of the inquest, and it includes the jury's findings, classification of death and any recommendations.

**Verdict with Coroners Comments:** This is the verdict with the presiding coroner's comments and a brief overview of the circumstances of the death. When this document is posted, it replaces the Verdict document (but will still include the original verdict and jury's recommendations). If you are looking for the verdict for an inquest that is not already posted, please contact the BC Coroners Service.