
From: Rodric Williams[GRO]
Sent: Sun 13/10/2013 10:41:55 PM (UTC)
To: Paula Vennells[GRO]; Kevin Gilliland[GRO]; Alwen Lyons[GRO]; Mark R Davies[GRO]
Cc: Angela Van-Den-Bogerd[GRO]; Ruth X Barker[GRO]; Hugh Flemington[GRO]; Fay Healey[GRO]
Subject: Strictly Private & Confidential - Subject to Legal Privilege

Strictly Private & Confidential - Subject to Legal Privilege - Do Not Forward

All,

Hugh and I have been discussing this, and set out below some of our thoughts in case it's helpful for a call tomorrow morning.

Coroner's Inquest

- This is the legal forum which is most likely to look into this sad event.
- The Coroner has a narrow remit to determine when, where and how the deceased died.
- The Coroner should not make findings about liability or blame.
- The Coroner may ask us to provide evidence:
 - o right now, it looks like the most relevant evidence that we could give would concern the contract suspension process;
 - o we have lined up external legal support to assist in responding to any requests from the Coroner;
 - o we will let Glenn Chester and John Breeden know that Legal support is there for them if required.
- Coroners' decisions can be challenged in the High Court.
- More detail on the purpose of and process for an Inquest are set out at the bottom of this email

Horizon Issues

- This appears to be more of an issue with support systems than the Horizon hardware and software.
- In order to address any Horizon-specific enquiries (e.g. from the JFSA), I would like to better understand how the branch losses were incurred.
- I can discuss this further directly with Angela tomorrow morning.

Public Comments from the Family

- This is more likely to be a Comms issue than a Legal one given the legal remedies available (e.g. claim of defamation).
- We have nonetheless put our external Comms support lawyer on stand-by in case legal assistance is needed to deal with any adverse publicity.

Please let us know if you need anything further.
Kind regards, Rodric

Overview of Coroner Inquests

If suicide is suspected in England and Wales there is always a public hearing, the inquest. It is an investigation held in public to establish who the person was, and where, when and how they died. It is a legal procedure presided over by a coroner in the public interest:

- . to find out the medical cause of death;
- . to draw attention to the existence of circumstances which, if nothing is done, might lead to further deaths;
- . to advance medical knowledge;
- . to preserve the legal interests of the deceased person's family or other interested parties.

Will a public hearing happen?

The coroner may decide that a public hearing is not necessary. He or she may look at the written statements from people involved, such as the doctors, the pathologist, family and friends, and then come to a verdict. This may be called a "chamber's finding", a "documentary" inquest or a "paper" inquest.

Who can attend?

Anyone can attend an inquest hearing.

The Coroner may compel people to attend. Often witnesses are asked to give evidence in court, taking the witness stand themselves.

Usually it is for the coroner to decide whether written evidence will be disclosed (copies sent) to a bereaved family before the inquest. Although such persons do not have a legal right to have such disclosure the coroner must make their decision about this on the basis of what is fair in the circumstances.

Family and relatives may make written or verbal submissions to the Coroner raising any concerns they may have.

Help from the Coroner

The coroner's officer (sometimes called a coroner's investigator) gathers information, and should maintain close links with the bereaved family; explain the timescales involved, and explain the layout of the court and what will happen throughout the whole process, what that process involves and what happens at the hearing itself.

Timing

In most circumstances the inquest will be opened very soon after the death for the formal business of recording the person's identity. This is a very short procedure taking only a few minutes, and it may be held in the coroner's office and not in a court room. Relatives have the right to attend this hearing.

After that, the length of time before the full hearing depends very much on the geographical area where the inquest is taking place and the nature of the circumstances surrounding the death. Where there are other investigation procedures to go through it can be a number of months or years after the death before the inquest is held.

Sometimes barristers and a jury are involved in the inquest process. The hearing may go on for days or even weeks.

Purpose

The purpose of the inquest is to assess the circumstances surrounding the death AND to identify any issues of public concern or safety. It's main purpose is to establish the cause of death. Coroners will often say at the beginning of the inquest that their job and that of the jury (if there is one) is to establish the answers to four questions - who the deceased was, where they died, when they died, and how.

People bereaved by suicide may see the inquest as an important opportunity to find out what happened to their friend or relative AND to publicly state their version of events. This may be their one opportunity to ask questions about how a relative died.

The remit of the inquest is legally very narrow. It may be that there are many events in the days, weeks and even months before the death which relatives etc believe played a part in the death. It will depend on the circumstances of the death as to which evidence the coroner thinks is relevant. Individual coroners will have different approaches and some will allow more questions than others.

Possible verdicts

At the end of an inquest hearing the coroner (or jury in some cases) can give one of many verdicts

- death due to accident
- suicide
- narrative (a more descriptive comment, and less of a "label" than other verdicts)
- open (to reflect that there is insufficient evidence to support any other verdict available) or
- unlawful killing.

To give a verdict of suicide the coroner has to be satisfied that the deceased did the act which ended his / her life and intended by that act that his / her life would end. This has to be proved "beyond all reasonable doubt".

Identifying lessons learnt

The court will identify whether anything might be done to help avoid similar deaths in future.

No blame or fault

The court does not apportion blame for the death or make any findings of fault. An inquest cannot blame individuals for the death or establish criminal or civil liability on the part of any named individual(s). The inquest might make criticisms about what happened, but cannot suggest that any individual is liable for someone's death.

Death Certificates

A death certificate is a legal document that is sent to the registrar of births and deaths, to record the details of a person who has died and the cause of death. When there is an inquest the coroner will issue an interim certificate when the body is released but will not issue a final death certificate until after the inquest has concluded. An interim death certificate is necessary to enable the body to be released in order for a funeral to be held and for the administrative procedures that follow a death.

More info?

There is a charity called INQUEST who act for family members.

<http://www.inquest.org.uk/>

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