



CHIEF CORONER

GUIDANCE No.3

OATHS and ROBES

OATHS and AFFIRMATIONS

Introduction

1. All coroners appointed under the Coroners and Justice Act 2009 (section 23 and Schedule 3) will be independent judicial office holders. As such they must take the judicial oath or affirmation on taking office. The form of the judicial oath is set out at Annex A below.
2. Coroners appointed before implementation of the 2009 Act need not take any oath or any further oath (if they have already taken one).

Senior coroners

3. It will be a term of the appointment of a senior coroner under the Coroners and Justice Act 2009 that he/she shall take a judicial oath or affirmation on taking office (see paragraph 19, Schedule 3.)
4. The oath or affirmation will be the current judicial oath or affirmation, as below and on the judiciary website. There is no need for any additional oath of allegiance.
5. The judicial oath or affirmation will be taken before the Lord Chief Justice, the Chief Coroner or other senior judge, in a short but formal ceremony. A senior coroner may wear a coroner robe if he/she chooses to do so. The Chief Coroner's office will make the arrangements and involve the local authority.
6. Taking the oath or affirmation will not be a pre-condition of sitting on an inquest or conducting an investigation. The oath or affirmation will be taken when convenient for the senior coroner and the senior judge.

Area coroners and assistant coroners

7. Similarly other coroners when appointed under the 2009 Act will also be required as judicial office holders to take a judicial oath or affirmation. This will be taken before the senior coroner in the coroner's court. It is suggested that there is a brief, formal event in court, in which the new coroner takes the oath and affirmation and is then welcomed to the coroner area. The Chief Coroner's office can assist in a standard procedure if asked to do so.

ROBES

8. The purpose of this part of the Guidance is to provide advice to coroners as to when they should or should not wear robes. Consistency is required across England and Wales.
9. Robes may be worn by senior coroners for civic or other formal or ceremonial occasions, should it be appropriate and also when agreed with the person in charge of the event. This includes the occasion when a senior coroner takes the judicial oath or affirmation (see paragraph 5 above). But wearing of robes for ceremonial occasions should never be mandatory. It is a matter of choice and agreement on the particular formal occasion.
10. Robes should not be worn on any other occasion. Robes should not be worn in court for any hearing. That includes gown, bands, wig, or a combination of two or more. Neither counsel nor solicitors (nor anybody else) should be expected to robe in any way.
11. At present the great majority of coroners do not wear any kind of legal costume in court and do not require counsel or solicitors to do so. But a few coroners wear robes in court. Some wear a gown, some wear bands, some wear a wig, some wear a combination of the above. A few coroners expect counsel and solicitors to wear robes (even where there may be no facilities for changing).
12. But it is not necessary or appropriate to wear robes in court for any hearing. To achieve consistency across England and Wales all coroners should reflect the good practice of the vast majority of coroners who do not wear any kind of robe.
13. The dignity of the coroner's court is preserved by the dignity of the post of coroner, the person in post and the procedures adopted. Dignity, however, is not the same as formality. Coroners will be more formal on some court occasions, less formal on others, depending on the circumstances. Inevitably, longer inquests with a number of represented interested persons will require more formality of structure. Shorter inquests, for example in a small council room used as a court and with only the family present, will be less formal. But all hearings will be conducted with appropriate dignity. At each court hearing the coroner will conduct himself or herself appropriately, bearing in mind that the coroner is an independent judicial office holder, acting in public and in the public interest, and in a way that provides open and accessible justice.
14. Deputy coroners and assistant coroners must therefore be required no longer to buy or wear robes as a pre-condition of their appointment as coroners as they have been in one or two coroner areas. Robes are expensive. At current Ede & Ravenscroft prices a wig and gown costs in excess of £4,000. Coroners or local authorities cannot be expected to pay for the cost of purchase (or hire) for everyday use by any coroner, nor should they be asked to, although local authorities may wish to do so for the use of senior coroners on ceremonial occasions.
15. A coroner should not be photographed in robes for the purposes of a coroner website or other public display.

16 July 2013

ANNEX A

Oaths and Affirmations

Judicial oath

"I, _____, do swear by Almighty God that I will well and truly serve our Sovereign Lady Queen Elizabeth the Second in the office of senior/area/assistant coroner, and I will do right to all manner of people after the laws and usages of this realm, without fear or favour, affection or ill will."

Judicial affirmation

"I, _____, do solemnly sincerely and truly declare and affirm that I will well and truly serve our Sovereign Lady Queen Elizabeth the Second in the office of senior/area/assistant coroner, and I will do right to all manner of people after the laws and usages of this Realm without fear or favour, affection or ill will."

Other acceptable forms

Hindu

Members of the Hindu faith will omit the words "I swear by Almighty God" and substitute the words "I swear by Gita".

Jew

Members of the Jewish faith use the oath above although some may wish to affirm.

Muslim

Members of the Muslim faith will omit the words "I swear by Almighty God" and substitute the words "I swear by Allah".

Sikh

Members of the Sikh faith will omit the words "I swear by Almighty God" and substitute the words "I swear by Guru Nanak".