

50/80**HIGH COURT OF JUSTICE — QUEEN'S BENCH DIVISIONAL COURT*****R v HAMMERSMITH CORONER; ex parte PEACH*****Lord Widgery CJ and Griffiths J****15 November 1979 — [1980] QB 211; [1980] 2 All ER 7; (1980) Crim LR 168****CORONERS – MEANING OF "EXAMINE ANY WITNESS": CORONERS' RULES 1953, RULE 16.**

In the course of a demonstration involving the National Front, the deceased was struck a blow on the head and killed. Police were present at the demonstration and it was possible that the blow was inflicted by a police officer with some instrument other than a truncheon. At the inquest the coroner had 60 statements in his possession relating to the case, taken from witnesses by the police. The applicant, who was related to the deceased, asked to be allowed to see or to make copies of the statements under the terms of rule 16 of the *Coroners' Rules* 1953, which provided that any person who in the coroner's opinion was a properly interested person should be allowed to examine any witness at an inquest. The coroner refused to make the statements available on the ground that he was not empowered by law to do so. The applicant sought an order of *certiorari* to quash the coroner's decision.

HELD: dismissing the application, that in rule 16, "examine any witness" meant "question a witness", and what was contemplated was that at the inquest the interested party should be able to put his allegations to the witness, for which purpose it was not necessary that he should have all the statements. The rule of natural justice that a person against whom some accusation was brought should have access to all material that might be relied upon against him did not apply in the present case, because the applicant himself was not at risk of being attacked or criticised.
