

Offences Concerning the Coroner

Obstructing a Coroner - Preventing the Burial of a Body

<https://www.cps.gov.uk/legal-guidance/public-justice-offences-incorporating-charging-standard>

Any disposal of a corpse with intent to obstruct or prevent a coroner's inquest, when there is a duty to hold one, is an offence. The offence is a common law offence, triable only on indictment and carries a maximum penalty of life imprisonment and/or a fine.

The offence of preventing the burial of a body (indictable only, unlimited imprisonment) is an alternative charge. Proof of this offence does not require proof of the specific intent required for obstructing a coroner.

The offences of obstructing a coroner and preventing the burial of a body may arise for example, when a person decides to conceal the innocent and unexpected death of a relative or friend or prevent his burial. Such cases inevitably raise sensitive public interest factors which must be carefully considered.

When the evidence supports a charge of involuntary manslaughter, it may be necessary to add a charge of obstructing a coroner or preventing a burial if the disposal of the body is more serious than the unlawful act which caused the death.

Obstructing a coroner may also amount to an offence of perverting the course of justice. Regard must be had to the factors outlined in General Charging Practice, above in this guidance and Charging Practice for Public Justice Offences, above in this guidance, which help to identify conduct too serious to charge as obstructing a coroner, when consideration should be given to a charge of perverting the course of justice.