



**Albion  
Chambers**

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## Judicial condemnation of Coroner's policy on burials

Submitted by Jessica Armfelt on Tue, 03/20/2018 - 15:46

Later this month, the High Court will hear an application for Judicial Review of a highly controversial policy introduced by the Coroner of Inner North London, Mary Hassell. The proceedings have been brought by Adath Yisroel Burial Society who have objected to the controversial "cab rank" approach adopted by the coroner, which fails to take into account the religious requirements of both Judaism and Islam. Under both Jewish and Islamic law, bodies must be buried on the day of death or as soon as possible afterwards. The system, imposed by Coroner Hassel, does not take into account the faith of the deceased and does not expedite burials on religious grounds.

It is unclear why the Coroner chose to adopt an approach which is devoid of the exercise of discretion, and which ignores the Rights enshrined in Article 9 of the Convention [Human Rights Act], but, unsurprisingly, it has met with universal condemnation from all sides of the political spectrum as well as the Chief Coroner Judge Mark Lucraft himself. He described the policy as "not capable of rational justification" and "not lawful".

This level of criticism by a senior judge of a practicing colleague is highly unusual, and is a reminder of the need to exercise sensitivity and fairness as regards the needs of all religions.

Stephen Mooney

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