

## Case summary

### Issue(s)

Is the applicable standard of proof in inquest proceedings in the case of suicide the balance of probabilities (the civil standard) or beyond reasonable doubt (the criminal standard)?

Does the answer depend on whether the determination is expressed as a short-form conclusion or a narrative conclusion?

### Facts

James Maughan, the appellant's brother, was a prisoner held in HMP Bullingdon. On 11 July 2016, James Maughan was found hanging in his cell. He was pronounced dead shortly afterwards. At the subsequent inquest into his death, the Senior Coroner invited the jury to consider a narrative verdict to the effect that James Maughan committed suicide on the balance of probabilities. The jury returned a narrative conclusion finding that it was more likely than not that James Maughan had committed suicide.

The appellant began judicial review proceedings challenging the jury's determination and arguing that the Senior Coroner erred in law in instructing the jury to apply the civil standard of proof when considering whether the deceased had killed himself. The Divisional Court dismissed the application for judicial review, concluding that the standard of proof in all suicide conclusions is the civil standard. The appellant appealed that decision to the Court of Appeal, which upheld the Divisional Court's judgment. The appellant appealed to the Supreme Court