


Ref: Section 4 – Civil Partnerships, Marriages
and Deaths (Registration etc.) Act 2019

The Rt Hon David Lammy MP
Secretary of State for Justice



24th February 2026

Dear Secretary of State,

We write further to recent correspondence in which we were informed via our Member of Parliament, that consideration of coronial jurisdiction of stillbirth may be addressed through the National Maternity and Neonatal Investigation led by Baroness Amos.

With respect, we do not consider that position to resolve the statutory duty imposed by Parliament under Section 4 of the Civil Partnerships, Marriages and Deaths (Registration etc.) Act 2019.

Section 4 places a clear obligation on the Secretary of State to make arrangements for the preparation and publication of a report on whether, and if so how, coroners should investigate stillbirths. The consultation on this matter closed in June 2019. A factual summary of responses was eventually published in February 2024. No substantive Government position has followed.

Nearly six years after the consultation closed, no substantive Government response has been published. It remains unclear whether the statutory duty has been discharged.

We are concerned that deferring progress pending the outcome of a non-statutory review commissioned by the Department of Health and Social Care risks conflating two separate matters. The question of coronial jurisdiction is one of justice and legal oversight. It rests properly within the remit of the Ministry of Justice. A health-led review cannot substitute for the discharge of a statutory duty imposed on a different department.

We also note that the Terms of Reference for the Maternity and Neonatal Investigation refer to “late-term stillbirths (37 weeks or later)”. The 2019 Act contains no such gestational limitation. The legal definition of stillbirth, as adopted in statute, applies from 24 weeks’ gestation. Any proposal to narrow consideration to a later gestation would therefore require clear legal justification and Parliamentary scrutiny.

The current position creates a structural inequity. Where a baby shows independent signs of life, however briefly, coronial jurisdiction may follow. Where a baby dies moments earlier, before taking a breath, no such oversight is available, even where serious clinical failings are alleged. The 2019 Act was intended to examine that disparity. It has not yet been resolved.

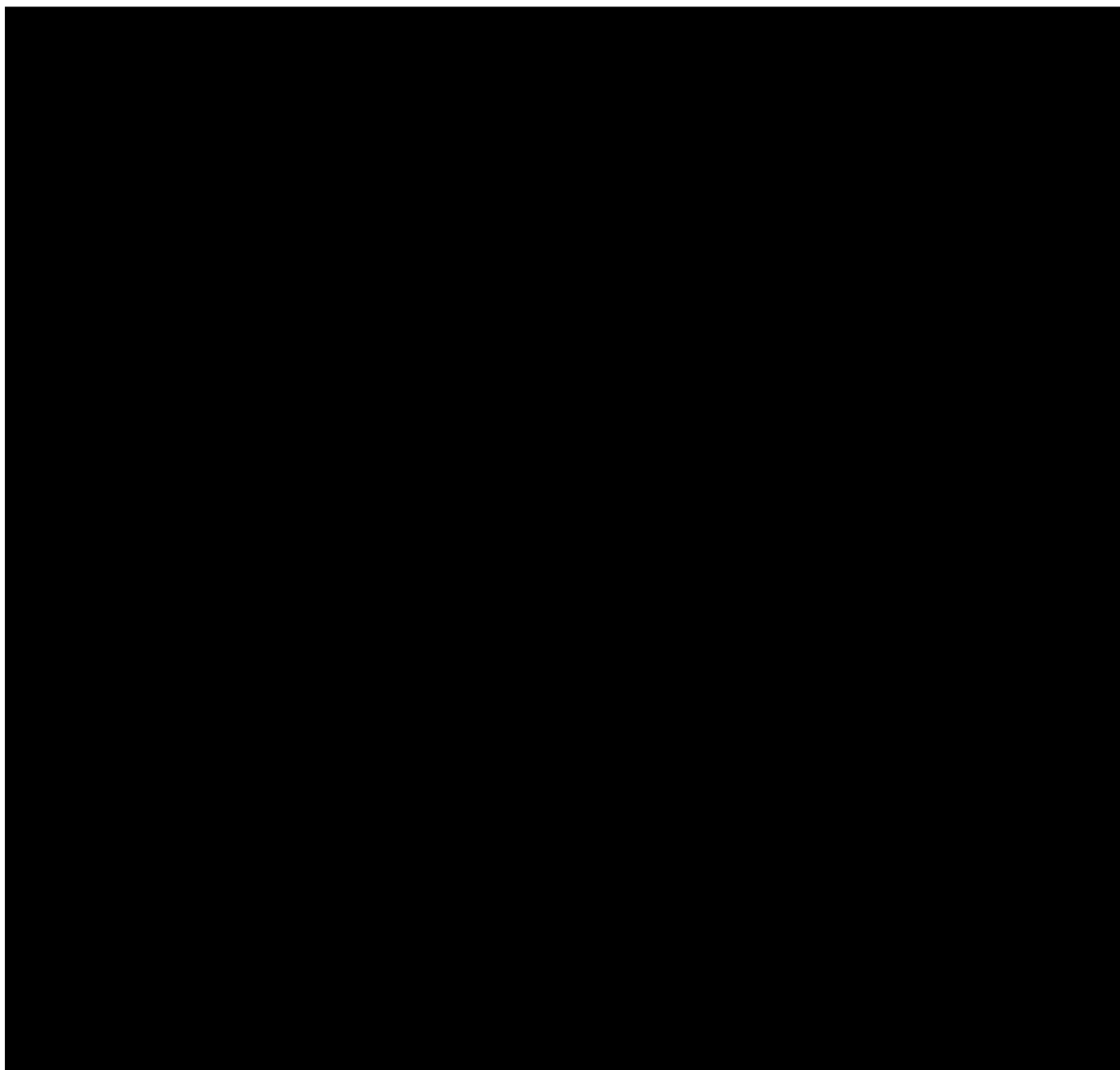
Parliament imposed this duty in 2019. It has not been formally concluded. Continued deferral risks undermining confidence that statutory obligations, once enacted by Parliament, will in fact be fulfilled.

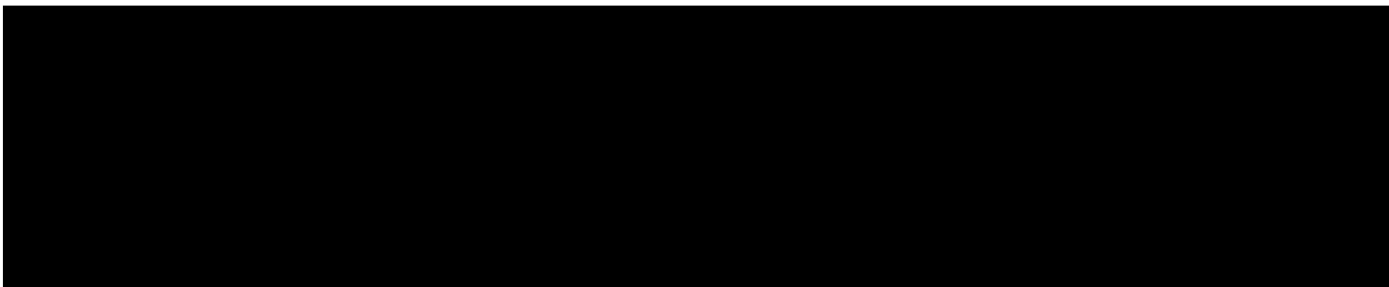
We would therefore ask that you:

1. Provide confirmation of whether the government considers the Section 4 duty to have been discharged.
2. If not, a clear timetable for publication of the Government's substantive response, that does not rely on other non-statutory processes.
3. Clarification that the Ministry of Justice does not intend to defer its statutory responsibility pending conclusions of the DHSC-led investigation.

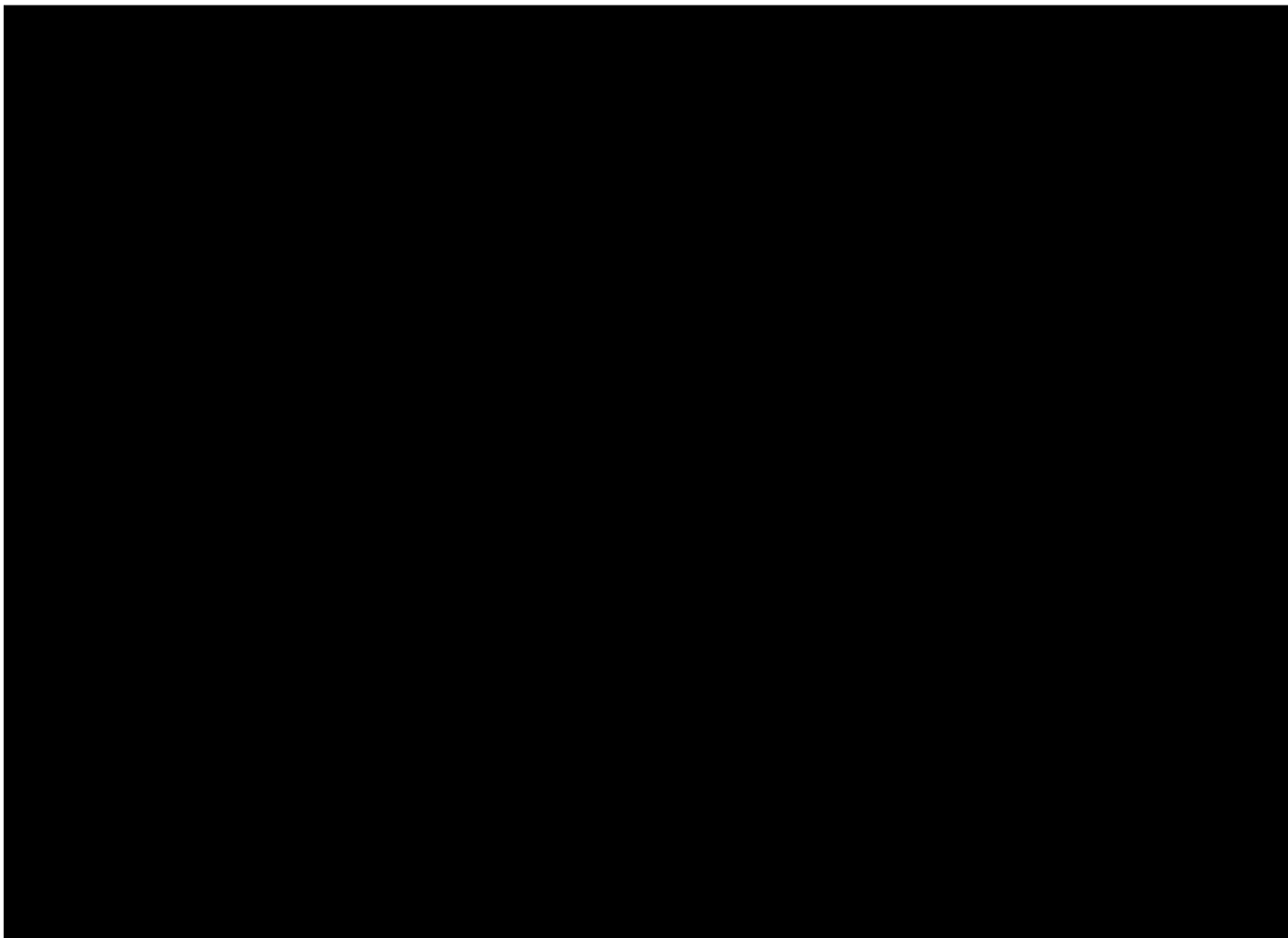
This is not a clinical policy question. It is a matter of justice and statutory accountability. It now requires resolution.

Yours sincerely,





Supported by:



Enclosures:

- Ref: Progress regarding Section 4 of the Civil Partnerships, Marriages and Deaths (Registration etc.) Act 2019 – Correspondence to Secretary of State dated 30 September 2025
- MOJ Ref: MC128417 – Response from Secretary of State dated 9 February 2026

Copied to (Parliamentary Scrutiny Bodies)

- Andy Slaughter MP, Chair, House of Commons Justice Committee
- Layla Moran MP, Chair, House of Commons Health and Social Care Committee

- Simon Hoare MP, Chair, Public Administration and Constitutional Affairs Committee
- Sarah Owen MP, Chair, APPG on Baby Loss
- Michelle Welsh MP, Chair, APPG on Maternity

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