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THE CORONERS LAW, 1975 (LAW 15 OF 1975)
(1995 Revision)

Consolidated with Laws 20 of 1979 and 21 of 1991.

Revised under the authority of the Law Revision Law (19 of 1975).

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Law 15 of 1975-3rd September, 1975

Law 20 of 1979-11th June, 1979

Law 21 of 1991-12th September, 1991

Consolidated and revised this 7th day of February, 1995.

CORONERS LAW, 1975 (LAW 15 OF 1975)

(1995 Revision)

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CORONERS LAW, 1975 (LAW 15 OF 1975)

(1995 Revision)

1. This Law may be cited as the Coroners Law (1995 Revision). Short title
2. In this Law, unless the context otherwise requires- Definitions
 - “Clerk of the Court” has the meaning ascribed to it in the Grand Court Law; Law 8 of 1975
 - “Commissioner” means the Commissioner of Police and any person under his authority;
 - “Coroner” means a person appointed as such under this Law;
 - “inquest” means an inquiry by a Coroner sitting with a jury;
 - “jury” means a jury empanelled under section 6;
 - “medical practitioner” means a person registered as being authorised to practice medicine under the Health Practitioners’ Law; Law 19 of 1974
 - “Registrar” means the person responsible for the registration of deaths; and
 - “verdict” means the verdict of a jury.
3. Magistrates having jurisdiction over a summary court by virtue of the Summary Jurisdiction Law are hereby appointed within their jurisdiction to be Coroners for the purposes of this Law. Magistrates to be coroners
Law 10 of 1975
4. When a Coroner becomes aware that the dead body of any person is lying within his jurisdiction, and there is reasonable cause to suspect that such person has died either a violent or an unnatural death, or has died a sudden death of which the cause has not been medically determined, or that such person has died in prison, or in such place or in such circumstances as require an inquest to be held in pursuance of any law, the Coroner shall, as soon as practicable, hold an inquest touching the death of such person and, for such purpose, together with any constable or constables and any medical practitioner may enter any place where such body is located. Coroner to enquire into certain deaths

- Coroner may abstain from holding inquests in certain cases
5. Whenever any person is charged before a court with a criminal offence in having caused the death of the deceased person the Coroner may in his discretion abstain from holding an inquest.
- 1976 Revision
The jury
6. (1) Where an inquest is to be held the Coroner shall notify the time and place thereof to the Clerk of the Court who shall forthwith empanel a jury of twelve persons from the jury list compiled under section 13 of the Judicature Law (Revised), being persons who have not served on a jury under this Law or the Judicature Law (Revised) during the previous two years, and summons them to appear at the time and place notified by the Coroner.
- (2) At the convening of the inquest the Coroner shall select seven jurors from those present and the seven persons selected shall elect one of their number to be foreman.
- (3) The verdict of the jury shall be that of the majority thereof.
- (4) The verdict of the jury shall, subject to the evidence available, state-
- (a) the name and description of the deceased;
 - (b) the physical cause of death; and
 - (c) how the death was brought about, that is to say, whether the death was occasioned-
 - (i) by natural causes;
 - (ii) by misadventure; or
 - (iii) by suicide and if so the presumed state of mind of the deceased.
- (5) When the evidence is insufficient to enable a conclusion to be reached the verdict shall to that extent be an open one.
- (6) In order to assist the jury to reach a verdict the Coroner shall sum up the evidence to them and explain to them any points of law and their duties under the law.
- The inquest
7. Before the first sitting of an inquest the Coroner shall, if practicable, view the body upon which the inquest is being held and shall thereafter examine upon oath or affirmation all persons offering to give evidence before him touching the inquest and shall summons to attend all such persons as he believes may be able to testify in furtherance of the inquest.
- Coroner's summons
8. The Coroner's summons to witness shall be in the form provided in the Schedule and shall take precedence over all other judicial process issuing out of any court and shall be enforceable by the Coroner in the same manner and under

the same penalties as a Judge of the Grand Court may enforce a summons issuing out of that court.

9. (1) The Coroner, holding an inquest under section 4, shall record the evidence of all the witnesses appearing or summoned before him and shall cause all exhibits produced to him in connection with the inquest to be identified, marked and preserved until the final disposal of the case and of any other proceedings arising thereout.

Recording of evidence
at an inquest

(2) Each deposition shall be signed by the Coroner and the witness after being read over by the Coroner and agreed to by the witness as having been correctly recorded.

10. (1) At an inquest, a written statement by any person is admissible as evidence to the like extent as oral evidence to the like effect by that person if-

Proof at an inquest by
written statement

- (a) the statement purports to be signed by the person who made it; and
- (b) the statement contains a declaration by that person to the effect that it is true to the best of his knowledge and belief and that he made the statement knowing that, if it were tendered in evidence, he would be liable to prosecution if he wilfully stated in it anything which he knew to be false or did not believe to be true.

(2) The following provisions shall also have effect in relation to a written statement tendered in evidence under subsection (1)-

- (a) if the statement is made by a person under the age of eighteen years, it shall give his age; and
- (b) if the statement is made by a person who cannot read, it shall be read to him before he signs it or attests it by his mark, and shall be accompanied by a declaration by the person who read the statement to him to the effect that it was so read and that he expressed agreement with it.

(3) Notwithstanding that a written statement by any person may be admissible as evidence under subsection (1), the Coroner may require that person to attend at the inquest and give evidence.

(4) So much of any statement as is admitted in evidence under subsection (1) shall, unless the Coroner otherwise directs, be read aloud at the inquest, and, where the Coroner so directs, an account shall be given orally of so much of any statement as is not read aloud.

(5) Any document or object referred to as an exhibit and identified in a written statement tendered in evidence under subsection (1) shall be treated as if it had been produced as an exhibit and identified at the inquest by the maker of the statement.

(6) Whoever, in a written statement tendered in evidence at an inquest under subsection (1), wilfully makes a statement material in those proceedings which he knows to be false or does not believe to be true, is guilty of an offence and liable on conviction to imprisonment for seven years.

Intervention by
Attorney-General

11. Should the Attorney-General decide to institute criminal proceedings against any person for causing the death of any person upon whose body a Coroner's inquest is in course of being held, he shall notify the Coroner who shall stay the inquest pending the outcome of the criminal case and shall cause the depositions taken up to that time and any exhibits produced before him in the case to be made available to the Attorney-General.

Coroner to record
conviction of any person
relevant to an inquest

12. When an inquest is stayed under section 11 and thereafter any person is convicted of an offence by which the death of the person upon whom the inquest was being held was brought about, the Coroner shall make in the record a note of all details of the conviction and shall close the inquest.

The verdict

13. Where an inquest has not been stayed or has been resumed after being stayed, the Coroner shall continue to hear the evidence of any witnesses who have not yet testified and shall record the verdict as to who the person was upon whose body the inquest has been held and how, when and where he met his death or that the cause of death was unknown as the case may be:

Provided that the Coroner shall not record a verdict inconsistent with the finding of any criminal court acquitting any person charged before it with any crime connected with the death.

Proceeding upon
inquisition charging any
person with a criminal
offence

14. (1) Where the verdict charges that the death was caused as the result of an indictable offence committed by any person, the Coroner shall bind by recognisance all persons examined by him as know or declare anything material touching the said offence to appear, if required, at the next session of the Grand Court then and there to give evidence at the trial of such person.

(2) When the Coroner has recorded a verdict under subsection (1) he shall forthwith deliver to the Clerk of the Grand Court the inquisition, depositions, exhibits and recognisances with a certificate that the same have been taken by him and shall deliver copies of all such documents and a list and description of the exhibits to the person charged with the offence.

15. A Coroner may at, or at any time before, the completion of any inquest which has not been stayed under section 11-
- (a) order that the body be buried in a suitable burial ground;
 - (b) order that an autopsy be held by a medical officer of the Government or, if no such officer is available, then by any medical practitioner available; and
 - (c) order that the body shall be exhumed and re-buried.
16. Any medical practitioner who refuses to testify at a Coroner's inquest with reference to relevant matter of which he has or may be presumed to have cognisance, or to hold an autopsy if required by a Coroner so to do, shall be liable, in addition to any penalty under any other law, to pay a fine of two hundred dollars enforceable by the Coroner in the same manner as a fine imposed by a summary court.
17. The Coroner shall notify the Registrar so soon as practicable of every death of which he becomes aware under section 4 and thereafter of the verdict at which he arrives or, if the inquest is closed by virtue of section 12, of the note made by him at the time of closing the inquest; the notification to the Registrar shall be made in compliance with section 30(1) of the Births and Deaths Registration Law.
18. Every person discovering the body of a dead person, or becoming aware that a death has occurred to which section 4 is applicable, shall forthwith notify the nearest police station or nearest constable and the Commissioner shall cause the Coroner to be notified without delay.
19. The Coroner shall have the same power of dealing with refractory witnesses as is conferred upon a court by virtue of section 42 of the Criminal Procedure Code.
20. Whoever deals with or does or omits to do anything in connection with the body of a dead person in a manner calculated or tending to circumvent, delay or frustrate the operation or proper administration of this Law, is guilty of an offence and liable, in addition to any liability under any other law, on summary conviction to a fine of five hundred dollars and to imprisonment for six months.
21. Whoever contravenes any provision of this Law for which no special penalty is provided is guilty of an offence and liable, on summary conviction, to a fine of one hundred dollars and to imprisonment for three months.

Coroner may order burial and may order autopsy

Penalty upon medical practitioner failing to testify, etc.

Law 14 of 1978
Report to Registrar

Reporting of deaths to which this Law has application

Refractory witnesses
Law 13 of 1975

Penalty for interference, etc., with dead body

General penalty

Coroners Law (1995 Revision)

- Forms 22. The forms provided in the Schedule or forms similar thereto shall be used in connection with the administration of this Law.
- Governor may appoint a Coroner to act in case of emergency 23. In case of an emergency the Governor may appoint any suitable person to act as Coroner for inquiry into any specified matter.
- Law 8 of 1975 Rules 24. The Rules Committee established by section 21 of the Grand Court Law may, subject to the approval of the Governor in Council, make rules for the better implementation of this Law.
- Witnesses fees and allowances Law 11 of 1975 25. Fees and allowances of jurors and witnesses may be provided on the same scale as those provided for similar matters in the Schedules to the Judicature Law and medical practitioners who carry out autopsies under paragraph (b) of section 15 shall be provided with fees and allowances commensurate with the duties involved to be determined by the Coroner on that basis:

Provided that no fees or allowances shall be payable to public officers except with the approval of the Governor.

SCHEDULE

(Section 22)

FORM OF INQUISITION

CAYMAN ISLANDS

An inquisition taken for Our Sovereign Lady the Queen at _____ on the _____ day of _____, 19____, before _____ Coroner of Our Sovereign Lady the Queen on view of the body of _____ (or, of a person unknown), _____ reported to the Registrar of Births and Deaths _____ on _____ 19____. (Here follow the depositions of the various witnesses, the observations of the Coroner upon view of the body, etc., and thereafter, as appropriate)-

On the _____ day of _____, 19____ the inquest was stayed on the intervention of the Attorney-General.

On the _____ day of _____, 19____ the inquest was resumed it having been reported to me by the Attorney-General that-

On the _____ day of _____, 19____ the file was closed, it having been reported to me by the Attorney-General that- I find that the said _____ met his death by _____, etc.

Report of Findings communicated to the Registrar of Births and Deaths on the _____ day of _____, 19____.

CORONER'S SUMMONS

(Section 8)

You _____ of _____ are
hereby summoned in the name of Our Sovereign Lady the Queen to attend the
Coroner on the _____ day of _____, 19____ at _____ hours
at _____ upon the inquest to be holden on
view of the body of _____
of _____ and from time to time thereafter as you may be
required.

HEREIN FAIL NOT.

Coroner

Publication in consolidated and revised form authorised by the Governor in
Council this 7th day of February, 1995.

Carmena H. Parsons
Acting Clerk of Executive Council