

CAYMAN ISLANDS

LAW 31 of 1967

I assent,

(L.S.)

J.A. CUMBER
Administrator

24th October, 1967

A Law to amend the Coroner's Law

ENACTED by the Legislature of the Cayman Islands.

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1. This Law may be cited as the Coroner's (Amendment) Law, 1967 and shall be read and construed as one with the Coroner's Law (hereinafter called the principal Law) and shall come into operation on a day to be appointed by the Administrator by Government Notice.

Short title
and com-
mencement.
Cap. 26

2. Section 9 is hereby repealed and the following substituted therefor:-

Order for
post mor-
tem exam-
inations.

9. (1) Where a Coroner is informed that the dead body or part thereof, of a 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

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Post mortem examination.

Report of medical practitioner, burial of body.

Summoning and swearing of jury.

which the cause is unknown, or that such person has died in prison, or in such a place or under such circumstances as to require an inquest in pursuance of any Law, or that a medical certificate of cause of death under the Registration (Births and Deaths) Law will not be forthcoming, it shall be lawful for the Coroner in his discretion to direct any duly qualified medical practitioner to make a post mortem examination of the dead body.

(2) Every medical practitioner to whom such direction as aforesaid is addressed, and every medical practitioner who holds a public office and who may be so directed, shall unless he shall immediately procure the services of some other medical practitioner to perform the duty, immediately proceed to the place where the dead body is lying, and shall then make a post mortem examination thereof with a view to determine the cause of death, and to throw all the light upon the circumstances connected with the death that such examination can supply; and shall thereupon draw up in writing and sign a report addressed to the Coroner, of the appearances of the body on such post mortem examination and of the conclusions which he draws therefrom touching the death. The post mortem examination shall extend, when it is considered by the medical practitioner necessary for the purpose of throwing light upon the circumstances connected with the death, but not otherwise, to the dissection of the body, as far as he may think requisite for the purpose.

(3) The medical practitioner, after making the examination, shall forthwith deliver his report to the Coroner, and upon receipt of such report, the Coroner may authorise the burial of the dead body.

3. The principal Law is hereby amended by inserting therein the following section as section 9A.

9A (1) Upon receipt of such medical report the Coroner shall, except under the circumstances

mentioned in section 10, of this Law, as soon as practicable, whether the cause of death arose within his jurisdiction or not, cause to be summoned by warrant under his hand, directed to any constable eleven persons qualified to serve as jurors under this Law, to appear before him at a specified time and place, there to enquire as jurors, touching the death of such person as aforesaid.

(2) From the jurors so summoned and assembled seven shall be chosen and sworn by or before the Coroner diligently to inquire touching the death of the person on whose body the inquest is about to be held, and a true verdict to give according to the evidence.

4. Section 12 of the principal Law is hereby amended in the following respects:-

(a) by deleting subsection (1) and substituting therefor the following subsection -

“(1) It shall not be necessary upon any inquest for the Coroner or the jury to view the body but this provision shall not preclude the Coroner from requiring exhumation of the body for the purpose of viewing and further examining the same, if in his opinion it is expedient so to do.”;

(b) by amending subsection (3) in the following respects:-

(i) by deleting the words “viewing the body and” in line one thereof;

(ii) by inserting immediately after the word “manslaughter” where that word first appears in the subsection, the words “by reckless or dangerous driving within the meaning of section 14 of the Motor Vehicles Law”;

(iii) by inserting immediately after the word “manslaughter” where that word appears for the second time in the subsection, the words “or causing death by reckless or dangerous driving”.

5. Section 13 of the principal Law is hereby amended in the following respects:-

Amendment of section 12.

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Amendment of section 13.

- (a) in subsection (1) by inserting immediately after the word "manslaughter" the words "or of causing death by reckless or dangerous driving";
- (b) in subsection (2) by inserting immediately after the word "manslaughter" the words "or of causing death by reckless or dangerous driving".

Amendment
of section
17.

6. Paragraph (i) of section 17 of the principal Law is hereby amended by inserting immediately after the word "manslaughter" the words "or causing death by reckless or dangerous driving".

Amendment of
section 18.

7. Subsection (1) of section 18 of the principal Law is hereby amended in the following respects -

- (a) by deleting the words "not less than one nor more than three pounds" and substituting therefor the words "not exceeding ten pounds";
- (b) by deleting the words "not less than ten nor more than forty shillings" and substituting therefor the words "not exceeding ten pounds"; and
- (c) by deleting the words "and lands" and substituting therefor the words "and in default of sufficient distress to imprisonment not exceeding thirty days".

Amendment
of section
19.

8. Section 19 of the principal Law is hereby amended in the following respects:-

- (i) by deleting the figure and brackets "(1)" thereof; and
- (ii) by deleting subsection (2).

Amendment
of section
23.

9. Section 23 of the principal Law is hereby amended by deleting the words "after an inquest taken".

Amendment
of schedule.

10. The Forms in the Schedule to the principal Law specified in the First Column hereto are hereby amended in the manner respectively specified in the Second Column hereto -

First Column

Second Column

FORM OF OATH BY JURY

By deleting the words "of whose body you shall have a view".

FORM OF INQUISITION

By deleting the words "on view of the body" and

substituting therefor the words "touching the death".

FORM OF RECOGNIZANCE

By inserting immediately after the word "manslaughter" the brackets and words "(or of causing death by reckless or dangerous driving)."

Passed the Assembly this 22nd day of Sept. 1967

J.A. CUMBER

President

SYBIL McLAUGHLIN

Clerk of the Legislative Assembly.

Government Notice 120 of 1967

Date of operation 25th October, 1967