

THE CORONERS ACT
ARRANGEMENT OF SECTIONS

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SCHEDULE

THE CORONERS ACT

[12th June, 1900.]

Cap. 77.
 Acts
 51 of 1964,
 42 of 1969
 3rd Sch.,
 23 of 1971,
 20 of 1976,
 6 of 1982,
 10 of 1999,
 19 of 2000
 S. 23,
 6 of 2005,
 2 of 2009.

1. This Act may be cited as the Coroners Act.

Short title.

PART I. *Preliminary*

2. Save in so far as is inconsistent with this Act, any principle or rule of law, or established jurisdiction, practice, or procedure, or existing usage or custom, shall not withstanding the repeal of any enactment by this Act, remain in full force.

Preservation
 of existing
 jurisdiction,
 practice, etc.

3. In this Act—

“agent of the State” means—

Interpreta-
 tion.
 2/2009
 S. 2.

(a) a person who is a member of—

(i) the Jamaica Constabulary Force;

(ii) the Jamaica Defence Force, except when acting in time of war;

(iii) the Island Special Constabulary Force; and

(iv) the Rural Police;

(b) a person appointed as a parish Special Constable pursuant to the Constables (Special) Act;

(c) a correctional officer;

(d) an officer within the meaning of section 2 of the Customs Act; and

- (e) such other public officer, as the Minister may by order specify, being a person upon whom is conferred any of the powers, authority and privileges as are conferred by law on a member of the Jamaica Constabulary Force;

“the appropriate Coroner” means—

- (a) the Office of the Special Coroner, in any case where there is reasonable cause to suspect that death occurred as a result of the act or omission of an agent of the State; or
- (b) subject to section 5B, in any other case, the Coroner having jurisdiction for the relevant parish pursuant to section 4,

and references, in any other enactment, to a Coroner shall be construed to mean the appropriate Coroner;

“murder” includes the offence of being an accessory before the fact to a murder.

“the Office” means the Office of the Special Coroner established under section 5A;

CORONER

4.—(1) Subject to sections 5A and 5B, the officer for the time being discharging the duties of Resident Magistrate for any parish shall *ex officio* be the Coroner of such parish:

Provided, that where such officer has and exercises the jurisdiction of the Resident Magistrate’s Court in more than one parish, it shall be lawful for the Minister to prescribe the area over which as Coroner such officer’s jurisdiction shall extend.

(2) Subject to sections 5A and 5B, the parish of Kingston and the parish of St. Andrew shall for the purposes of this Act be deemed to form one parish and accordingly a Resident Magistrate for either parish shall have jurisdiction as a Coroner over both parishes and an inquest in respect of a death occurring in either parish may be held at the discretion of the Coroner either in Kingston or in St. Andrew as the Coroner thinks fit.

2/2009
S. 2.

Resident
Magistrate
ex officio
Coroner.
20/1976

S. 2 (a).
2/2009
S. 3.

20/1976
S. 2(b).
2/2009
S. 3.

5.—(1) It shall be lawful for the Coroner, when prevented by illness, or any lawful or reasonable cause from holding an inquest himself, to appoint the Clerk of the Courts, to hold such inquest in his stead; but in any such case the Coroner shall, within fourteen days of making any such appointment, send a duplicate of such appointment to the Minister together with a statement of the reasons for his not having held the inquest himself.

Deputy
Coroner.

(2) The deputy so appointed shall have all the rights, powers and jurisdiction of a Coroner, and generally be subject to the provisions of this Act in like manner as a Coroner.

SPECIAL CORONER

5A.—(1) There is hereby established an Office of the Special Coroner.

Establishment
of Office of
the Special
Coroner.

(2) The Office shall be constituted by the following persons appointed by the Governor-General, acting on the advice of the Judicial Service Commission—

2/2009
S. 4.

- (a) the Special Coroner, who shall be in charge of the administration and operations of the Office; and
- (b) such number of Assistant Special Coroners as may be necessary for the efficient administration and operation of the Office.

(3) A person shall not be qualified for appointment under subsection (2) unless that person is a Resident Magistrate and possesses the qualifications for appointment as a Senior Resident Magistrate.

(4) The office of the Special Coroner shall be provided with such staff as is necessary for the efficient administration and operation of the Office as determined by the Special Coroner.

5B.—(1) The Office shall exercise the jurisdiction and functions of the Coroner in respect of any death occurring at any place in Jamaica where there is reasonable cause to suspect that the death occurred as a result of the act or omission of an agent of the State.

Jurisdiction
and functions
of Special
Coroner.

2/2009
S. 4.

(2) Nothing in subsection (1) shall be construed as prohibiting the Coroner for a parish from exercising jurisdiction in relation to a death within the parish of such Coroner, in the circumstances mentioned in subsection (1), in any case where jurisdiction has neither been assumed by, nor transferred to, the Special Coroner.

DESIGNATED POLICE OFFICER

Assignment of
designated
police officer.
6/2005
S. 2.

5C.—(1) The Commissioner of Police shall—

- (a) in respect of each parish, assign a constable, not below the rank of Deputy Superintendent, to carry out the functions of a designated police officer under this Act;
- (b) give written notice of such designation to the Coroner and the Office; and
- (c) cause a notification of the designation to be published in the *Gazette*.

2/2009
S. 5.

(2) A reference in this Act to a designated police officer shall be construed as a reference to the designated police officer assigned in respect of the relevant parish pursuant to subsection (1).

PROCEEDINGS LEADING UP TO INQUEST

Order for
post mortem
examina-
tions.
6/2005
S. 3(a)(b).
2/2009
S. 6(a).

6.—(1) Subject to subsection (1A), where a Coroner, or Justice, or designated police officer is informed that the dead body or part thereof, of a person, is lying within the jurisdiction of such Coroner, or Justice, or within the parish in respect of which such designated police officer is assigned, 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 is unknown, or that a medical certificate of cause of death under the Registration (Births and Deaths) Act in respect of such person will not be forthcoming or that such person has died in prison, or in such place, or under such circumstances, as to require an inquest in pursuance of any law, it shall be lawful for such Coroner, Justice, or designated

police officer, in his discretion, to direct any duly qualified medical practitioner to make a *post mortem* examination of the dead body. 6/2005
S. 3(a).

(1A) Where a Coroner, Justice of the Peace or designated police officer receives information described in subsection (1) as regards any dead body and there is reasonable cause to suspect that death occurred as a result of the act or omission of an agent of the State, the Coroner or Justice of the Peace (as the case may be) shall forthwith notify the Office, and the Office may direct any duly qualified medical practitioner to make a *post mortem* examination of the body; and 2/2009
S. 6(b).

(2) The appropriate Coroner or a Justice of the Peace who orders a *post mortem* examination shall forthwith notify the designated police officer of the fact of the death and that a *post mortem* examination has been ordered. 6/2005
S. 3(c).
2/2009
S. 6(c).

7.—(1) Whenever the fact of a death under the circumstances referred to in section 6 is reported at any police station, the officer in charge thereof shall forthwith notify the designated police officer of such fact. Investigation by police.
6/2005
S. 4.

(2) A designated police officer who is informed or notified of the fact of a death, pursuant to subsection (1) or section 6 shall—

(a) in the case of information or a notification given by a person other than the appropriate Coroner, inform the appropriate Coroner of the fact of death, within forty-eight hours after receiving the information or notification; and 2/2009
Sch.

(b) forthwith cause an investigation to be made into the circumstances relating to the death, and report thereon to the appropriate Coroner within twenty-one days after first receiving such information or notification. 2/2009
Sch.

7A.—(1) Where a designated police officer requires more time than that specified for the completion of a report referred to in section 7(2)(b) or for the forwarding of a medical practitioner's report under section 9(2)(b), the designated police Report of investigation by designated police officer.
6/2005
S. 5.

2/2009
Sch.

officer shall in writing to the appropriate Coroner within the time so specified—

2/2009
Sch.

- (a) inform the appropriate Coroner of the status of the investigation; and
- (b) request an extension of the time within which to forward the report.

2/2009
Sch.

(2) Upon receiving the information and request referred to in subsection (1), the appropriate Coroner shall determine a reasonable time within which the report shall be forwarded by the designated police officer and shall, in writing, inform such officer of the determination.

2/2009
Sch.

(3) Where a designated police officer fails to forward to the appropriate Coroner any document required to be forwarded by him under section 7(2)(b) or 9(2)(b), the appropriate Coroner shall—

2/2009
Sch.

- (a) ascertain from the designated police officer the reason for the failure; and
- (b) issue such directions as the appropriate Coroner thinks fit in order to secure the expeditious delivery of the document to the appropriate Coroner.

2/2009
Sch.

(4) For the purposes of subsection (3)(a), the appropriate Coroner may direct the designated officer to attend before him and to explain, upon oath or affirmation, the reason for the failure.

Post mortem
examination.

8. Every medical practitioner to whom such direction as aforesaid shall be addressed, may, and every medical practitioner who holds a public medical office, 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 the death and to throw all the light upon the circumstances connected with the death that such an examination can supply; and shall thereupon draw up

in writing and sign a report addressed to the appropriate 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.

2/2009
Sch.

9.—(1) The medical practitioner shall, within forty-eight hours after making the examination, deliver his report to the appropriate Coroner, or to the Justice, or designated police officer, as the case may be, and upon receipt of such report the said Justice, or designated police officer, may authorize the burial of the dead body, or may, at his discretion, prohibit such burial until the order of the appropriate Coroner shall be given respecting the same.

Report of
medical
practitioner,
burial of
body.
6/1982
S. 3(a).
6/2005
S. 6(a)(i).
2/2009
Sch.

(2) Where pursuant to subsection (1), a medical practitioner delivers his report to—

6/2005
S. 6(b).

(a) a Justice of the Peace, the Justice shall forward the report, together with the order for the *post mortem*, to the appropriate Coroner within seventy-two hours after receiving the report;

2/2009
Sch.

(b) the designated police officer, such officer shall forward the report, together with the order for the *post mortem*, to the appropriate Coroner within seventy-two hours after receiving the report.

2/2009
Sch.

10.—(1) Where, upon such evidence as he considers sufficient, the appropriate Coroner is satisfied—

Coroner's
powers in
cases of
delay.
2/2009
Sch.
6/1982
S. 4.

(a) that there will be delay in holding or concluding an inquest; and

- (b) that he can determine the identity of, and the date, place and cause of death of, the deceased person; and
- (c) that it is necessary or desirable so to do for the purpose of enabling registration of the death to be effected or completed,

he may, in his absolute discretion, whether or not he has received the police report, make the determination and send a certificate in the Form D in the Schedule to the person who is Registrar under the Registration (Births and Deaths) Act for the district in which, according to his determination, the death occurred.

Schedule.
Form D.

(2) Any action taken under this section shall not affect the holding of an inquest under this Act or the performance of any duty imposed on the appropriate Coroner or jury under section 19 of this Act or on the appropriate Coroner under section 30 of the Registration (Births and Deaths) Act; and consequent upon the finding of a jury at any inquest, the appropriate Coroner shall notify the Registrar in writing of any particulars which differ from the particulars specified in the certificate issued pursuant to subsection (1).

2/2009
Sch.

2/2009
Sch.

11.—(1) Upon receipt of the medical and police reports the appropriate Coroner shall, except under the circumstances hereinafter mentioned, as soon as practicable, issue his warrant for summoning not less than five nor more than thirty persons, selected indiscriminately from among the persons whose names appear on the jury list certified under section 13 of the Jury Act, to appear before him at a specified time and place, there to enquire as jurors touching the death of such person as aforesaid.

Appropriate
Coroner to
summon jury.
6/1982
S. 5(a).
6/1982
S. 5(b).
6/2005
S. 7(a).
2/2009
Sch.

(2) For the purposes of subsection (1), the specified time shall be a time within thirty days after the appropriate Coroner receives the designated police officer's report of the investigation and the report of the medical practitioner, in relation to the death.

6/2005
S. 7(b).
2/2009
Sch.

(3) Where an inquest is held on the body of a prisoner who dies within a prison, or of a lunatic who dies in a lunatic asylum, no officer of such prison, nor any prisoner in such prison, and no officer in such asylum, nor any person engaged in any sort of trade or dealing with such prison or asylum, shall be a juror on the inquest on the body of such prisoner or lunatic respectively.

Jury on inquest touching death of prisoner or lunatic dying in asylum. 6/2005 S. 3(c).

12.—(1) Notwithstanding anything to the contrary, where any Coroner is satisfied, upon receipt of the reports referred to in section 11 in relation to any body or part thereof lying within the parish for which he is Coroner, that—

Transfer of jurisdiction to appropriate Coroner. 2/2009 S. 7.

- (a) the body or part thereof is the body of a person the cause of whose death arose in some other parish, he may certify accordingly to the Coroner for such parish; or
 - (b) there are reasonable grounds to suspect that the death occurred as a result of the act or omission of an agent of the State, he may certify accordingly to the Office.
- (2) Upon receipt of any certificate under—
- (a) subsection (1)(a), the receiving Coroner shall have in relation to the body or part thereof the subject of such certificate the like jurisdiction as if the body or part thereof had at all times lain within the parish for which he is the Coroner; or
 - (b) subsection (1)(b), the Office shall assume jurisdiction over the case,

and the jurisdiction of the certifying Coroner in relation to the body or part thereof shall cease and determine.

(3) Notwithstanding anything to the contrary, where the Office is satisfied, upon receipt of the reports referred to in section 11 in relation to any death, that there is no reasonable cause to suspect that the death occurred as a result of the act or omission of an agent of the State—

- (a) the Office may certify accordingly to the Coroner for the relevant parish; and
- (b) upon receipt of such certification, the Coroner for the relevant parish shall assume jurisdiction over the case, and the jurisdiction of the Office with respect thereto shall cease and determine.

Appropriate
Coroner
may post-
pone holding
of inquest in
certain
cases.
2/2009
Sch.

13.—(1) When as a result of the said reports any person is charged before a Resident Magistrate or before examining justices with a criminal offence in having caused the death of the deceased person, the appropriate Coroner may in his discretion postpone the holding of an inquest until after the conclusion of the criminal proceedings:

Provided that if in the course of the criminal proceedings any person has been charged on indictment, then upon the holding of such inquest no inquisition shall charge that person with an offence of which he could have been convicted on such indictment or contain any finding which is inconsistent with the determination of any matter by the result of the criminal proceedings.

23/1971
S. 2.

(2) It shall be the duty of the Clerk of the Court to which a person charged with murder, manslaughter, infanticide or an offence under subsection (1) of section 30 of the Road Traffic Act, is committed for trial and of the Registrar of any court before which any appeal from a conviction of murder, man-slaughter, infanticide or an offence under subsection (1) of section 30 of the Road Traffic Act is heard, to inform the appropriate Coroner of the result of the proceedings.

23/1971
S. 2.
2/2009
Sch.

(3) For the purposes of this section the expression “the criminal proceedings” means the proceedings before a Resident Magistrate or examining justices or before any court to which the accused person is committed for trial or before which an appeal from the conviction of that person is heard, and criminal proceedings shall not be deemed to be concluded until no further appeal can, without an extension of the time being granted by the Court of Appeal, be made in the course thereof.

13A. Where in relation to any death a person is brought or appears before a Resident Magistrate in Court or in Chambers charged with the offence of murder, manslaughter, infanticide or an offence under section 30(1) of the Road Traffic Act, and the Resident Magistrate—

Power to act as Coroner on termination of criminal proceedings.
6/2005
S. 8.

- (a) after holding a preliminary examination with a view to the person's committal to the Circuit Court, makes an order for the person's discharge; and
- (b) is satisfied that no inquest has been held in relation to the death,

the Resident Magistrate shall forthwith act as the Coroner having jurisdiction in relation to the death and proceed to hold an inquest.

14. Whenever as the result of the said reports the cause of death is established to the satisfaction of the appropriate Coroner, and it appears to him that there is no reason for suspecting that the deceased came by his death by murder or manslaughter, or that no further light would be thrown upon the case by holding an inquest it shall be lawful for the appropriate Coroner in his discretion to abstain from holding an inquest.

Appropriate Coroner may abstain from holding inquests in certain case.
6/1982
S. 6.
2/2009
Sch.

15.—(1) In the event of the appropriate Coroner abstaining from holding an inquest for the reasons set out in section 14, he shall submit the said medical and police reports, together with a statement of his own views of the case, to the Director of Public Prosecutions, and if—

Report to Director of Public Prosecutions when no inquest held.
6/1982
S. 7(a) & (b).
2/2009
Sch.

- (a) upon such evidence as he considers sufficient the appropriate Coroner is satisfied that he can determine the identity of, and the date, place and cause of death of, the deceased person; and
- (b) no action has been taken by him in that regard pursuant to subsection (1) of section 10,

he shall make the determination and send a certificate in the Form D in the Schedule, to the person who is the Registrar under the Registration (Births and Deaths) Act for the district in which, according to his determination, the death occurred.

Schedule.
Form D.

2/2009
Sch.

(2) The Director of Public Prosecutions may, on receipt of such reports and statement, direct the appropriate Coroner to hold an inquest, and the appropriate Coroner shall obey such direction; but if the Director of Public Prosecutions concur with the appropriate Coroner in thinking an inquest unnecessary, he shall make a minute to that effect on the papers transmitted to him by the appropriate Coroner, and deliver them to the Registrar of the Supreme Court, who shall keep and preserve them in his office along with the inquisitions.

Appropriate
Coroner
may hold
inquest
without a
jury.
20/1976
S. 3.
2/2009
Sch.

16.—(1) Subject to the provisions of this section a Coroner may, in lieu of summoning a jury for the purpose of holding an inquest, hold an inquest without a jury.

(2) If it appears to the appropriate Coroner either before he proceeds to hold an inquest or in the course of an inquest begun without a jury that there is reason to suspect—

- (a) that the deceased came by his death by murder, manslaughter or infanticide; or
- (b) that the death occurred in circumstances the continuance or possible recurrence of which is prejudicial to the health or safety of the public or any section of the public,

he shall proceed to summon a jury in the manner required by this Act, and in any other case, if it appears to him, either before he proceeds to hold an inquest or in the course of an inquest begun without a jury, that there is any reason for summoning a jury, he may proceed to summon a jury in the manner aforesaid:

Provided that it shall not be necessary for the appropriate Coroner to summon a jury in any case where a person has been charged with a criminal offence in causing the death of the deceased person and where the inquest is held after the conclusion of the criminal proceedings.

(3) The provisions of this Act relating to the procedure in connection with an inquest shall, as respects an inquest or any part of an inquest which is held without a jury, have effect subject to such modifications as are rendered necessary by the absence of a jury, and where the whole of an inquest is held without a jury the inquisition shall be under the hand of the

appropriate Coroner alone.

17.—(1) Subsection (2) shall apply in any case where the appropriate Coroner has reasonable cause to suspect that a death has occurred in such circumstances that—

- (a) an inquest ought to be held; and
- (b) owing to the destruction of the body by fire, or to the fact that the body is lying in a place from which it cannot be recovered, an inquest cannot be held except by virtue of this section.

(2) The appropriate Coroner may report the facts to the Minister who may, if he considers it desirable to do so, direct an inquest to be held touching the death, and an inquest shall be held accordingly by the appropriate Coroner or such other Coroner as the Minister may direct, and the law relating to Coroners and Coroners' inquests shall apply with such modifications as may be necessary in consequence of the inquest being held by virtue of the provisions of this section.

INQUEST

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

Provided further that if a majority of the jury sitting on an inquest are of opinion that the cause of death has not been satisfactorily explained by the evidence of the medical practitioner or other witnesses brought before them, they may require the appropriate Coroner in writing to summon as a witness a duly qualified forensic pathologist named by them, and except where the body has been cremated further to direct a *post mortem* examination of the deceased, with or without an analysis of the contents of the stomach or intestines, to be made by that forensic pathologist, and that whether such examination has been previously made or not, and the appropriate Coroner shall comply with such requisition, and in default shall be guilty of a misdemeanour.

2/2009
Sch.
Procedure where body destroyed or irrecoverable.
2/2009
S. 8.

The appropriate Coroner or jury need not view the body: but Coroner may order exhumation.
2/2009
Sch.

6/2005
S. 9(a).
2/2009
Sch.

6/2005
S. 9(b).
2/2009
Sch.

Proceedings at
inquest.
6/1982
S. 8(a), (b)
and (c).

19.—(1) When not less than five jurors are assembled they or such number of them, not being less than five, as the appropriate Coroner may determine, shall be sworn by or before the appropriate Coroner, according to the Form A in the Schedule, diligently to enquire 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.

Schedule
Form A.
2/2009
Sch.

2/2009
Sch.

(2) At the inquest the appropriate Coroner shall examine on oath touching the death all persons who tender their evidence respecting the facts, and all persons having knowledge of the facts whom he thinks it expedient to examine.

2/2009
Sch.

(3) Where it is suspected that the deceased came by his death by murder or manslaughter, it shall be the duty of the appropriate Coroner to put into writing the statement on oath of those who know the facts and circumstances of the case, or so much of such statement as is material, and any such deposition shall be signed by the witness, and also by the appropriate Coroner.

2/2009
Sch.

(4) The medical report made by the medical practitioner as aforesaid shall be *prima facie* evidence of the facts therein stated; but the medical practitioner shall attend and may be examined by the jury touching the dead body and his said report.

6/1982
S. 8(d).

(5) After hearing the evidence the jury shall give their verdict, and certify it by an inquisition in writing, setting forth, so far as such particulars have been proved to them, who the deceased was, and how, when and where the deceased came by his death, and, if it appears to the jury that, *prima facie*, the circumstances of the death indicate that the crime of murder or manslaughter has been committed, the persons, if any, whom the jury charge with murder or manslaughter.

(6) They shall also enquire of and find the particulars for the time being required by the Registration (Births and Deaths) Act to be registered concerning the death.

(7) Where the jury fail to agree on a verdict—

51/1964
S. 6.
6/1982
S. 8(e).

(a) if—

- (i) the jury comprises seven or more persons, and the minority consists of not more than two; or
- (ii) the jury comprises less than seven persons, and the minority consists of not more than one,

the appropriate Coroner may accept the verdict of the majority and the majority shall in that case, certify the verdict in accordance with the requirements of subsection (5);

2/2009
Sch.

(b) in any other case the appropriate Coroner may discharge the jury and issue a warrant for summoning another jury, and thereupon the inquest shall proceed in all respects as if the proceedings which terminated in the disagreement had not taken place.

2/2009
Sch.

(8) Except in the cases hereinafter mentioned the appropriate Coroner shall send the inquisition and the depositions to the Registrar of the Supreme Court for safe custody.

2/2009
Sch.

20.—(1) When the appropriate Coroner's inquisition charges a person with the offence of murder, or of manslaughter, the appropriate Coroner shall issue his warrant for arresting or detaining such person, and shall bind by recognizance all such persons examined before him as know or declare anything material touching the said offence to appear at the next Circuit Court at which the trial is to be, then and there to prosecute or give evidence against the person so charged.

Arrest of
person
charged in
inquisition
with murder
or man-
slaughter.
2/2009
Sch.

(2) Where the offence is manslaughter the appropriate Coroner may, in accordance with the Bail Act, grant bail to the person charged.

2/2009
Sch.

(3) The appropriate Coroner shall deliver the inquisition, depositions and recognizances, with a certificate under his hand that the same have been taken before him, to the proper

2/2009
Sch.

officer of the Court in which the trial is to be, before, or at the opening of the Court.

Judge of
Supreme
Court may
order inquest.
6/2005
S. 10(a).

21.—(1) Where a Judge of the Supreme Court upon application made by an interested party or by or under the authority of the Director of Public Prosecutions, is satisfied either—

2/2009
Sch.

(a) that the appropriate Coroner refuses or neglects to hold an inquest which ought to be held, or which he has been directed by the Director of Public Prosecutions to hold; or

2/2009
Sch.

(b) where an inquest has been held by the appropriate Coroner that by reason of fraud, rejection of evidence, irregularity of proceedings, insufficiency of inquiry, or any other circumstances or considerations, whether similar to the foregoing or not, it is necessary or desirable in the interests of justice, that another inquest should be held,

51/1954
S. 7(1).

the Judge may order an inquest to be held touching the said death, and may, if he thinks it just, order the appropriate Coroner to pay such costs of and incident to the application as he thinks just, and where an inquest has already been held may quash the inquisition on that inquest.

2/2009
Sch.

(2) The Judge may order that such inquest shall be held either by the appropriate Coroner, or by the appropriate Coroner of an adjoining parish, and the appropriate Coroner ordered to hold the inquest shall for that purpose have the same powers and jurisdiction as, and be deemed to be, the appropriate Coroner.

2/2009
Sch.

2/2009
Sch.

6/2005
S. 10(b).

(3) In this Act, “interested party” means—

- (a) a parent, child or spouse of the deceased or, if there are no such persons, the deceased’s next-of-kin;
- (b) a personal representative of the deceased;
- (c) any beneficiary under a policy of insurance issued on the life of the deceased;

- (d) the insurer who issued such a policy of insurance;
- (e) any person whose act or omission, or that of the person's agent or employee acting in the course of duty, may in the opinion of the appropriate Coroner have caused or contributed to the death of the deceased; 6/2005
S. 10(b)
2/2009
S. 9.
- (f) any person appointed by a trade union to which the deceased belonged at the time of his death, if the death may have been caused by—
 - (i) an injury received by the deceased in the course of the deceased's employment; or
 - (ii) a disease to which he is exposed specifically by the nature of his duty;
- (g) any person appointed by a government department to attend the inquest;
- (h) the Commissioner of Police; or
- (i) any other person who, in the opinion of the appropriate Coroner, is a properly interested person. 2/2009
S. 9.

PART II. SUPPLEMENTAL

PROCEDURE

22.—(1) The following enactments shall be made with respect to procedure at the appropriate Coroner's inquests—

- (a) the inquisition shall be under the hands and seals of the jurors, who concur in the verdict, and of the appropriate Coroner; Inquisition
to be under
hand and
seal of the
appropriate
Coroner and
jurors.
2/2009
S. 9.
- (b) an inquisition need not be on parchment, and may be written or printed, or partly written and partly printed, and may be in the Form B contained in the Schedule, or to the like effect or in such other form as the Minister may from time to time prescribe, or to the like effect, and the statements therein may be made in concise and ordinary language; Inquisition
written or
printed.

Schedule.
Form B.

Recognizances.
6/1982
S. 9(a).
19/2000
S. 23.
2/2009
S. 9.
Schedule
Form C.

(c) the appropriate Coroner shall, in accordance with the Bail Act, cause recognizances taken before him from a person charged by an inquisition with manslaughter or a person required to appear and give evidence before the appropriate Coroner to be taken, so far as circumstances admit, in the Form C contained in the Schedule, or in such other form as the Minister may from time to time prescribe, and shall give notice of the recognizance to every person bound thereby;

Accused persons entitled to copies of inquisition and evidence.
6/1982
S. 9(b).

(d) a person charged by an inquisition with murder or manslaughter shall be entitled to have from the person having for the time being the custody of the inquisition, or of the depositions of the witnesses at the inquest, copies thereof on payment of a reasonable sum for the same, not exceeding the rate of 30 cents for every folio of ninety words.

6/1982
S. 9(d).

(2) The Minister may, by order, amend subsection (1) (d) so as to vary the amount stated therein.

Power to summon and compel attendance and testimony of witnesses.
6/1982
S. 10.
Schedule.
Form E.
2/2009
S. 9.

22A.—(1) Subject to subsection (7), where it appears to the appropriate Coroner upon the oath or affirmation of any credible person that any person is likely to give material evidence at an inquest the appropriate Coroner may issue a summons under his hand in the Form E contained in the Schedule, to such person requiring him to attend before the appropriate Coroner at a time and place mentioned in the summons to give evidence as aforesaid.

(2) A summons issued under subsection (1) may be served upon any person—

- (a) by delivering it to him; or
- (b) by delivering it to a person apparently over the age of sixteen years and residing at the last or usual place of abode or business of the person being summoned; or
- (c) by posting it by registered letter post addressed to him at his last or usual place of abode or business.

(3) A summons sent by registered letter post pursuant to subsection (2)(c) shall, unless the contrary is proved, be deemed to be served after the expiration of ten days after the date on which it was posted.

(4) Service of the summons may be proved by the affidavit or joint affidavit of the person or persons serving it, or, in the case of service by registered post, the person or persons who dispatched it.

(5) Any summons served in the manner prescribed by subsection (2)(b) shall be deemed to be duly served unless the contrary is proved.

(6) If a person served with a summons under subsection (2) neglects or refuses to attend pursuant to such summons and offers no reasonable excuse for such neglect or refusal, the appropriate Coroner before whom such person should have appeared may issue a warrant under his hand in the Form F contained in the Schedule to bring and to cause such person to be brought before that appropriate Coroner at a time and place to be mentioned in the warrant, to give evidence as required by subsection (1); and such warrant may be executed out of the jurisdiction of the appropriate Coroner who issued it.

2/2009
S. 9.

2/2009
S. 9.

(7) Where the appropriate Coroner is satisfied upon oath or affirmation that it is probable that a person will not attend and give evidence without being compelled to do so, the appropriate Coroner may, instead of issuing a summons under subsection (1), issue a warrant, in the Form G contained in the Schedule, in the first instance.

2/2009
S. 9.

2/2009
S. 9.
Schedule
Form G.

(8) Where a person who is entrusted with the duty of serving a summons under this section fails to serve the summons within fourteen days after the date of issue of the summons, the appropriate Coroner may act in accordance with subsection (9).

6/2005
S. 11.

2/2009
S. 9.

6/2005
S. 11.

(9) The Coroner may, on such terms as he thinks fit, appoint a Special Bailiff to serve the summons, and any person so appointed shall, for the purpose of serving the summons, have all the powers, rights and immunities of a Bailiff under the Judicature (Resident Magistrates) Act.

6/2005
S. 11.

(10) For the purposes of subsection (9), the Special Bailiff shall be appointed from a panel of persons selected by the appropriate Coroner and appointed by the Chief Justice.

2/2009
S. 9.

Power of
Coroner to
order pro-
duction of
documents,
etc.
6/1982
S. 10.

22B.—(1) The provisions of this Act enabling the appropriate Coroner to issue a summons to any witness to attend and give evidence at a Coroner's inquest shall be deemed to include the power to summon and require a witness to produce to such inquest books, plans, papers, documents, articles, goods and things likely to be material evidence concerning the death of any person on whose body an inquest is to be held; and the provisions relating to the neglect or refusal of a witness, without reasonable excuse, to attend and give evidence or to be sworn, shall apply accordingly.

6/2005
S. 12.

(2) The appropriate Coroner may allow any interested party access to—

- (a) any item produced under an order under subsection (1); and
- (b) any evidence relevant to the inquest which the appropriate Coroner intends to adduce.

2/2009
S. 9.

(3) The type of access allowed under subsection (2) shall be in the discretion of the appropriate Coroner having regard to the nature of the item or evidence concerned and may, as the appropriate Coroner thinks appropriate—

2/2009
S. 9.

2/2009
S. 9.

- (a) include an opportunity to inspect the item or evidence and take copies or photographs;
- (b) be subject to restrictions as to the handling of the item or evidence;

(c) include provision for such access to be supervised by the Clerk of the Courts or such other person as may be authorized by the appropriate Coroner for that purpose; or 2/2009
S. 9.

(d) be subject to such other conditions or restrictions as the appropriate Coroner thinks fit for the purpose of the safe keeping of the item or evidence. 2/2009
S. 9.

22C.—(1) Subject to subsections (2) and (3) and without prejudice to any other entitlement which any person may have to examine witnesses at an inquest, any person who satisfies the appropriate Coroner that such person is an interested party may be permitted by the appropriate Coroner to examine any witness at an inquest, either in person or by an attorney-at-law. Entitlement to examine witnesses.
6/2005
S. 13.
2/2009
S. 9.

(2) The Commissioner of Police, unless interested otherwise than in that capacity, shall only be permitted to examine a witness by an attorney-at-law.

(3) The appropriate Coroner shall disallow any question which in the appropriate Coroner's opinion is not relevant or is otherwise not a proper question. 2/2009
S. 9.

22D. If any person—

(a) wilfully insults the appropriate Coroner or any officer of the Court under this Act during his sitting or attendance in the Court; or Power to deal with misbehaviour in Court.
6/1982
S. 10.

(b) wilfully interrupts the proceedings of the Court; or 2/2009
S. 9.

(c) otherwise misbehaves in Court,

the appropriate Coroner may order any constable or officer of the Court, with or without the assistance of any other person, to take the offender into custody and detain him till the rising of the Court; and such appropriate Coroner may, if he thinks fit, impose upon any such offender a fine not exceeding five 2/2009
S. 9.
6/2005
S. 14.

thousand dollars for every such offence, and, in default of payment thereof, commit the offender to prison for any period not exceeding one calendar month, unless the fine is sooner paid; and in the case of a subsequent offence within six months, by a warrant under his hand, and sealed with the seal of the Court, commit any such offender to prison for any period not exceeding one calendar month.

Penalty for
non-
attendance or
refusal to
serve or testify
as juror or
witness.
6/1982
S. 11.
10/1999
S. 2(a).
2/2009
S. 9.

23.—(1) Where a person duly summoned as a juror at an inquest does not appear to such summons or appearing refuses without reasonable excuse to serve as a juror, the appropriate Coroner may impose on such person a fine not exceeding four thousand dollars.

(2) Where, pursuant to subsection (1), the appropriate Coroner imposes a fine upon any person in his absence, the provisions of section 41 of the Jury Act shall apply as regards the recovery and enforcement of the fine.

(3) Where a person duly summoned to give evidence at an inquest—

(a) does not appear to such summons; or

(b) appearing, refuses to be sworn or to affirm, or having affirmed or been sworn, refuses without reasonable excuse to answer any question put to him,

2/2009
S. 9.
10/1999
S. 2(b).

the appropriate Coroner may impose upon such person a fine not exceeding four thousand dollars and in default of payment thereof commit such person to prison for a term not exceeding one month unless he consents to be examined and to give evidence as aforesaid or unless the fine shall sooner be paid.

2/2009
S. 9.

(4) Where the appropriate Coroner imposes a fine upon a person under subsection (3)(a), the provisions of section 11 (2) and (3) of the Witnesses' Expenses Act shall apply in respect of the recovery and enforcement of the fine.

(5) Where a recognizance is forfeited at an inquest held before the appropriate Coroner, the provisions of this section shall apply as regards the person forfeiting the recognizance as if a fine had been imposed upon that person under this section.

2/2009
S. 9.

23A.—(1) At an inquest, a written statement by a person shall, if the conditions specified in subsection (2) are satisfied, be admissible in evidence to the same extent and effect as direct oral evidence by that person.

Admissibility of written statement at inquest.
6/2005
S. 15.

(2) The conditions referred to in subsection (1) are that—

(a) the statement purports to be signed by the person who made it;

(b) a copy of the statement and a notice of intention to admit the statement in evidence are caused to be served by the appropriate Coroner on all parties referred to in subsection (8), at least twenty-one days before the inquest;

2/2009
S. 9.

(c) none of the parties referred to in subsection (8) have, within ten days from the service of the copy of the statement, served a counter-notice on the appropriate Coroner, objecting to the statement being admitted in evidence and requiring the attendance of the maker of the statement as a witness at the inquest;

2/2009
S. 9.

(d) notice of the intention to admit the statement in evidence is accompanied by a declaration by the person who made it to the effect that it is true to the best of his knowledge and belief and that he made it knowing that, if it were admitted 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.

(3) Paragraphs (b) and (c) of subsection (2), shall not apply if the parties referred to in subsection (8) agree before or during the inquest that the statement be admitted in evidence.

(4) A statement shall be inadmissible in evidence under this section if a party referred to in subsection (8) serves a counter-notice objecting to the statement being admitted in evidence and requiring the person who made the statement to attend the inquest as a witness.

2/2009
S. 9.

(5) Notwithstanding that a written statement made by any person may be admissible by virtue of subsection (2), the appropriate Coroner may, on his own motion or on application by any party referred to in subsection (8), require that the maker of the statement attend and give oral evidence at the inquest.

2/2009
S. 9.

(6) Notwithstanding the failure of any party referred to in subsection (8) to serve a counter-notice objecting to the admissibility of the statement, the appropriate Coroner may, if he thinks fit, permit that party to lead evidence contradicting the evidence contained in the written statement.

2/2009
S. 9.

(7) Where contradicting evidence is given as mentioned in subsection (6), the appropriate Coroner may admit additional evidence in response to the contradicting evidence.

(8) The parties to which this subsection refers are—

- (a) all interested parties; and
- (b) all parties likely to be affected by the statement.

(9) For the purposes of subsection (8), a party is likely to be affected by a statement that contains anything which expressly, or by reasonable inference, indicates that the party is liable to be charged with an offence in relation to the death.

Admissibility
of first-hand
hearsay
statements at
inquest.
6/2005
S. 15.

23B.—(1) In this section and sections 23C and 23D, “document” includes, in addition to a document in writing—

- (a) any map, plan, graph or drawing;
- (b) any photograph;

- (c) any disc, tape, sound track or other device in which sounds or other data (not being visual images) are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom;
- (d) any film (including microfilm), negative, tape or other device in which one or more visual images are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom.

(2) A statement made by a person in a document shall be admissible at an inquest as evidence of any fact of which direct oral evidence by that person would be admissible if it is proved to the satisfaction of the appropriate Coroner that such person—

2/2009
S. 9.

- (a) is dead;
- (b) is unfit, by reason of his bodily or mental condition, to attend as a witness;
- (c) is outside of Jamaica and it is not reasonably practicable to secure his attendance;
- (d) cannot be found after all reasonable steps have been taken to find him; or
- (e) is kept away from the proceedings by threats of bodily harm and no reasonable steps can be taken to protect the person.

23C. A statement contained in a document produced by a computer and which constitutes hearsay shall not be admitted in evidence at an inquest unless—

- (a) at all material times—
 - (i) the computer was operating properly;
 - (ii) the computer was not subject to any malfunction; and

Admissibility of computer evidence constituting hearsay.
6/2005
S. 15.

- (iii) there are no alterations to its mechanism or processes that might reasonably be expected to have affected the validity or accuracy of the contents of the document;

- (b) there is no reasonable cause to believe that—
 - (i) the accuracy or validity of the document has been adversely affected by the use of any improper process or procedure or by inadequate safeguards in the use of the computer; or
 - (ii) there was any error in the preparation of the data from which the document was produced;

- (c) the computer was properly programmed; and

- (d) where two or more computers were involved in the production of the document or in the recording of the data from which the document was derived—
 - (i) the conditions specified in paragraphs (a) to (c) are satisfied in relation to each of the computers so used; and
 - (ii) it is established by or on behalf of the person tendering the document in evidence that the use of more than one computer did not introduce any factor that might reasonably be expected to have an adverse effect on the validity or accuracy of the document.

23D. Where a statement contained in a document produced by a computer does not constitute hearsay, such a statement shall be admissible if the conditions specified in section 23C are satisfied in relation to that document.

Admissibility of computer evidence not constituting hearsay.
6/2005
S. 15.

24.—(1) If in the opinion of the Judge having cognizance of the case, an inquisition finds sufficiently the matters required to be found thereby, and where it charges a person with murder or manslaughter sufficiently designates that person and the offence charged, the inquisition shall not be quashed for any defects, and the Judge may order the proper officer of the Court to amend any defect in the inquisition, and any variance occurring between the inquisition and the evidence offered in proof thereof, if the Judge is of opinion that such defect or variance is not material to the merits of the case, and that the defendant or person traversing the inquisition cannot be prejudiced by the amendment in his defence or traverse on the merits, and the Judge may order the amendment on such terms as to postponing the trial to be had before the same or another jury as to him may seem reasonable, and after the amendment the trial shall proceed in like manner, and the inquisition, verdict and judgment, shall be of the same effect, and the record shall be drawn up in the same form, in all respects as if the inquisition had originally been in the form in which it stands when amended.

Inquisition not to be quashed for defects. Power to amend and procedure thereon.

(2) For the purposes of any such amendment, the Judge may respite any of the recognizances taken before the appropriate Coroner, and the person bound by such recognizances shall be bound without entering into any fresh recognizances to appear and prosecute, give evidence, or be tried at the time and place to which the trial is postponed, as if they were originally bound by their recognizances to appear and prosecute, give evidence, or be tried at that time and place.

Respite of recognizances on postponement of trial.
2/2009
S. 9.

MISCELLANEOUS

Removal of
dead bodies.
2/2009
S. 9.

25. Where a place has been provided by any Local Board of Health for the reception of dead bodies during the time required to conduct a *post mortem* examination the appropriate Coroner may order the removal of a dead body to and from such place for carrying out such examination, and the cost of such removal shall be deemed to be part of the expenses incurred in and about the holding of an inquest.

Quarterly
returns of
inquest and
other reported
deaths.
10/1982
S. 12(a) & (b).
2/2009
S. 9.

26. Every person who performs duties as Coroner by virtue of section 4 or 5A shall make and transmit quarterly returns to the Minister in such form and containing such particulars as may by him from time to time be prescribed, of all cases of which he has been notified under section 7, or in which an inquest has been held by him, or by the Clerk of the Courts in lieu of him, during the preceding quarter.

Minister may
prohibit
holding of
inquests in
certain cases.

27. It shall be lawful for the Minister at any time during the prevalence of any endemic or epidemic disease, by order to prohibit the holding of an inquest on the body of any person dying within any prison, hospital, or public institution, whose death shall be certified by an entry in the books of such prison, hospital, or institution under the hand of the medical attendant thereof, to have been caused by any such disease.

Correction of
error in
certified copy
of medical
report for
registration.
2/2009
S. 9.

28. Where an error of fact or substance (other than an error relating to the cause of death) occurs in the information given by a certificate given by the appropriate Coroner, the appropriate Coroner may, if satisfied by evidence on oath or statutory declaration that such error exists, certify under his hand to the Registrar-General, the nature of the error and the true facts of the case as ascertained by him on such evidence; and thereupon the Registrar-General shall cause the error to be corrected by entering in the margin of the Form and

counterfoil containing the entry in question (without making any alteration of the original entry) the facts as so certified by the Coroner.

29. Any person performing duties as Coroner by virtue of section 4 or 5A and who is guilty of extortion, corruption, wilful neglect of his duty, or of misbehaviour in the discharge of his duty shall be guilty of a misdemeanour; and any such person who fails to comply with the provisions of this Act with respect to the delivery of the inquisition or to the taking and delivery of the depositions and recognizances, where it is suspected that the deceased came by his death by murder or manslaughter, shall on proof of such non-compliance be liable to be fined by the Court to whose officer the inquisition, depositions and recognizances ought to have been delivered, in such an amount as to such Court shall seem meet.

Extortion,
corruption,
wilful
neglect, etc.,
by Coroner.
2/2009
S. 9.

6/1982
S. 13.

30. A Coroner shall continue as heretofore to have jurisdiction to enquire of treasure that is found, who were the finders, and who is suspected, or who is suspected of being the finder, and the provisions of this Act shall, so far as is consistent with the tenor thereof, apply to every such inquest.

Treasure
trove.

31. A Coroner shall not take pleas of the Crown nor hold inquests of royal fish, nor of wreck, nor of felonies, except felonies on inquisitions of death; and he shall not inquire of the goods of such persons as are charged with murder or manslaughter pursuant to section 19.

Limitation
of Coroner's
jurisdiction.

6/1982
S. 14.

32.—(1) Every juror who is summoned under this Act shall be entitled to be paid—

Expenses
of jurors.
6/1982
S. 15.

(a) for each day or part of a day that he is required to attend the inquest, the sum of such amount as the Minister may, by regulations, prescribe;

10/1999
S. 3 (a).

(a) in respect of his traveling to and from the place to which he is summoned, such sum as the Minister may, by regulations, prescribe.

(2) [*Deleted by Act 10 of 1999.*]

Subsistence allowance.

33.—(1) Where the taxing officer is satisfied that by reason of—

- (a) the distance between the home of a juror and the place at which an inquest is held; or
- (b) the state of health of a juror; or
- (c) the means of communication between the home of a juror and the place at which an inquest is held; or
- (d) the necessity for a juror to attend an inquest upon more than one day,

a juror was necessarily absent from his home for more than one day, the taxing officer may allow, in addition to any sum payable to the juror under section 32, such further sum as he is satisfied represents any reasonable expenditure actually incurred by the juror for lodging and necessary subsistence during the period between his departure from his home to attend an inquest and his return to his home after so attending an inquest.

(2) For the purposes of this section “taxing officer” means the Clerk of the Resident Magistrate’s Court for the parish in which an inquest is held.

Regulations.
6/1982
S. 16.

34. The Minister may make regulations generally for giving effect to the provisions of this Act and without prejudice to such general power may make regulations—

- (a) prescribing any form considered necessary or desirable for the purposes of this Act;

(b) revoking or amending the forms set out in the Schedule;

Schedule.

(c) stipulating the persons entitled to attend or be represented at a *post mortem* examination conducted pursuant to section 6, the notice to be given to such persons and the procedure to be followed in connection with their attendance at the *post mortem* examination.

6/2005
S. 16(b).

CORONERS

SCHEDULE

FORM A

Oath.
Section
19 (1).

Form of Oath of Injury

You shall diligently inquire and a true presentment make of all such matters and things as are hereby given you in charge on behalf of Our Sovereign Lady the Queen touching the death of C.D., deceased, and shall without fear or favour, affection or ill-will, a true verdict give according to the evidence, and to the best of your skill and knowledge. So help you God.

Inquisition.
Section
22 (1)(b).

FORM B

Form of Inquisition

No. of Inquest.

Date , 19

Jamaica, SS.

Parish of

An inquisition taken for Our Sovereign Lady the Queen, at in the parish of , on the day of , 19 , before, [Resident Magistrate for the parish of , and as such Coroner for such parish][of the Office of the Special Coroner] touching the death of, deceased upon the oaths of good and lawful men of the same parish, duly sworn to inquire for Our Sovereign Lady the Queen as to his death; and those of the said jurors whose names are hereunto subscribed upon their oath do say—

2/2009
S. 9.

(Here set out the circumstances of the death, as for example)

(a) That the said C.D. was found dead on the day of , in the year aforesaid, at in the parish of (or set out other place of death), and

(b) That the Cause of his death was that he was thrown by E.F. against the ground, whereby the said C.D. had a violent concussion of the brain and instantly died (or set out other cause of death).

(Here set out the conclusion of the jury as to the death, as for example)

6/1982
1st Sch.

(c) And so do further charge the said E.F. with unlawfully killing (or unlawfully, wilfully and of malice aforethought murdering) the said C.D.;

or, do further say that the said E.F. by misfortune and against his will did kill the said C.D.;

or, do further say that the said E.F. in the defence of himself (and property) did kill the said C.D.

(In case of there being an accessory before the fact, add)

And do further charge K.L. with unlawfully inciting (or procuring, aiding, counselling and commanding, or as the case may be), the said E.F. to commit the said murder. 6/1982 1st Sch.

(At the end, add)

In witness whereof as well the said Coroner as the jurors have hereunto subscribed their hands and set their seals the day and year first above written.

(Another example is)

That the said C.D. did on the _____ day of _____, fall into a pond of water, situated at _____, by means whereof he died.

(Here set out the conclusion of the jury as to the death, as for example)

And so do further say the said C.D., not being of sound mind, did kill himself;

or, do further say that the said C.D. did feloniously kill himself;

or, do further say that by the neglect of E.F. to fence the said pond C.D. fell therein, and do therefore charge E.F. with unlawfully killing the said C.D.; 6/1982 1st Sch.

or, do further say that the said C.D. by misadventure fell into the said pond and was killed.

FORM C

Form of Recognizance

Recognizance. Section 22 (1)(c).

Jamaica, SS.

Parish of _____

Be it remembered that on the _____ day of _____, 19____, A.B., of _____ (labourer), L.M., of _____ (planter), and N.O., of _____ (butcher), personally came before me, [Her Majesty's Coroner for the parish of _____] [Special Coroner] [Assistant Special Coroner] and severally acknowledged _____

2/2009 S. 9.

themselves to owe to Our Sovereign Lady the Queen, the several sums following, that is to say, the said *A.B.*, the sum of _____, and the said *L.M.* and *N.O.*, the sum of _____ each, to be levied of their several goods and lands by way of recognizance to Her Majesty's use, if he the said *A.B.* fail in the condition following—

(In case of recognizance to appear and give evidence before the Coroner, add)

He shall appear personally at the Court of the said Coroner, to be held on the _____ day of _____, next, at _____, in the said parish, for holding an inquest touching the death of the said *C.D.*, there to give evidence of anything he knows touching the death of the said *C.D.* and shall not depart the said Court without leave.

(In case of recognizance to prosecute and give evidence at the Circuit Court, add)

He shall appear personally at the next Circuit Court to be holden at _____, in and for the parish of _____, there to prosecute and give evidence to the jury that try *E.F.* (now in custody charged with the wilful murder of *C.D.*), upon the inquisition taken before me, the above-named Coroner, touching the death of *C.D.*, and shall not depart the Court without leave.

6/1982
1st Sch.

(In case of recognizance to appear for trial, add)

He shall appear at the next Circuit Court to be holden at _____, in and for parish of _____, and there surrender himself into custody of the Keeper of the gaol or other prison there, and plead to the inquisition taken before me, the above-named Coroner, touching the death of *C.D.*, where a charge of manslaughter has been laid against him, and shall take his trial upon that inquisition, and shall not depart the Court without leave.

6/1982
1st Sch.

(In every case add at the end)

Then if the above conditions are fulfilled, this recognizance shall be void, but otherwise shall remain in full force.

CERTIFICATE OF CORONER

DEATH IN THE DISTRICT OF.....

PARISH

<i>Place of Death</i>	<i>Usual Residence of Deceased</i>
<i>Particulars of Deceased</i>	<i>Cause of Death</i>
Date of Death.....	I
Full Name.....	(Immediate Cause) (a).....
Sex.....	due to
Age.....	(b).....
Marital Status—	due to
Single	(c).....
Married	II
Widow/ Widower	(Contributory).....
Divorced	Certified by.....
	<i>Qualification</i>

Name and address of person who found / or identified body.....

I certify that the above particulars have been determined by me upon a report received from.....and upon other evidence available to me.

Signed.....

[Coroner]
[Office of the Special Coroner]

2/2009
S. 9.

6/1982
1st Sch.

FORM E (Sections 22A (1) and 22B)

Summons of a Witness

TO: *A.B.* of _____, in the parish of _____,

WHEREAS an inquest is to be held touching the death of *C.D.*, late of _____, who died on the _____ day of _____, at _____, and it has been made to appear to the undersigned, [Coroner for the parish of _____] [Special Coroner] [Assistant Special Coroner], that you are likely to give material evidence concerning the death of the said *C.D.*:

2/2009
S. 9.

This is therefore to require you to be and attend on the _____ day of _____, at _____ o'clock in the forenoon at _____ before me, to testify what you know concerning the said death (*If the person summoned is to produce any documents or articles add*):

And you are required to bring with you (*specify the documents or articles required*).

Given under my hand this _____ day of _____, in the parish of _____

2/2009
S. 9.

[Coroner for the parish of _____]
[Special Coroner] [Assistant Special Coroner]

6/1982
1st Sch.

FORM F (Sections 22A (6))

Warrant where Witness has not obeyed the Summons

WHEREAS—

- (a) an inquest was ordered touching the death of *C.D.*, late of _____, who died on the _____ day of _____; and
- (b) it having been made to appear to the undersigned, [Coroner for the parish of _____] [Special Coroner] [Assistant Special Coroner], that *A.B.* of _____, in the parish of _____, was likely to give material evidence concerning the death of the said *C.D.*, I duly issued my summons to the said *A.B.* requiring him to be and attend at _____, on the _____ day of _____,

2/2009
S. 9.

at _____ o'clock in the forenoon of that day, before me to testify as aforesaid; and

- (c) it has been proved to me upon oath that such summons was duly served upon the said *A.B.*; and
- (d) the said *A.B.* has neglected to attend at the time appointed in such summons, and he has not offered any reasonable excuse for such neglect:

This is therefore to command you to bring and have the said *A.B.* brought before me, at _____, on the _____ day of _____, at _____ o'clock in the forenoon, to testify as aforesaid.

Given under my hand this _____ day of _____, in the parish of _____,

[Coroner for the parish of _____] 2/2009
[Special Coroner] [Assistant Special S. 9.
Coroner].

To each and all of the Constables of _____, and to all other Peace Officers in the parish of _____

FORM G (Sections 22A (7))

6/1982
1st Sch.

Warrant in the first instance

WHEREAS—

- (a) an inquest is to be held touching the death of *C.D.*, late of _____, who died on the _____ day of _____; and
- (b) it has been made to appear to the undersigned, Coroner for the parish of _____, that *A.B.* of _____ is likely to give material evidence concerning the death of the said *C.D.* and it is probable that the said *A.B.* will not attend and give evidence without being compelled to do so:

This is therefore to command you to bring and have the said *A.B.* brought before me, at _____, on the _____ day of _____, at _____ o'clock in the forenoon, to testify as aforesaid.

Given under my hand this _____ day of _____, in the parish of _____,

[Coroner for the parish of _____] 2/2009
[Special Coroner] [Assistant Special S. 9.
Coroner].

To each and all of the Constables of _____, and to all other Peace Officers in the parish of _____