

*Status:* Point in time view as at 31/01/2017. This version of this cross heading contains provisions that are prospective.

*Changes to legislation:* Coroners and Justice Act 2009, Paragraph 3 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULES

### SCHEDULE 5

#### POWERS OF CORONERS

PROSPECTIVE

##### *Power of entry, search and seizure*

- 3 (1) A senior coroner conducting an investigation under this Part, if authorised—
- (a) by the Chief Coroner, or
  - (b) by another senior coroner nominated by the Chief Coroner to give authorisation,
- may enter and search any land specified in the authorisation.
- (2) An authorisation may be given only if—
- (a) the senior coroner conducting the investigation has reason to suspect that there may be anything on the land which relates to a matter that is relevant to the investigation, and
  - (b) any of the conditions in sub-paragraph (3) are met.
- (3) Those conditions are—
- (a) that it is not practicable to communicate with a person entitled to grant permission to enter and search the land;
  - (b) that permission to enter and search the land has been refused;
  - (c) that the senior coroner has reason to believe that such permission would be refused if requested;
  - (d) that the purpose of a search may be frustrated or seriously prejudiced unless the senior coroner can secure immediate entry to the land on arrival.
- (4) A senior coroner conducting an investigation under this Part who is lawfully on any land—
- (a) may seize anything that is on the land;
  - (b) may inspect and take copies of any documents.
- (5) A reference in this paragraph to land is not limited to land within the coroner area for which the senior coroner in question is appointed.
- (6) A reference in this paragraph to a senior coroner is to be read as including the Coroner for Treasure.

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