

SCHEDULES

SCHEDULE 10

Section 56.

NEW SECTION TO BE SUBSTITUTED FOR S.20 OF CORONERS (AMENDMENT) ACT 1926

“20 Adjournment of inquest in cases of murder, manslaughter, infanticide or aiding etc. suicide, or at request of D.P.P.

- (1) If on an inquest touching a death the coroner before the conclusion of the inquest—
- (a) is informed by the clerk of a magistrates' court in pursuance of subsection (8) below that some person has been charged before a magistrates' court with—
 - (i) the murder, manslaughter or infanticide of the deceased ; or
 - (ii) an offence under section 1 of the Road Traffic Act 1972 committed by causing the death of the deceased ; or
 - (iii) an offence under section 2(1) of the Suicide Act 1961 consisting of aiding, abetting, counselling or procuring the suicide of the deceased ;
or
 - (b) is informed by the Director of Public Prosecutions that some person has been charged before examining justices with an offence (whether or not involving the death of a person other than the deceased) alleged to have been committed in circumstances connected with the death of the deceased, not being an offence within paragraph (a)(1), (ii) or (iii) above, and is requested by the Director to adjourn the inquest,
- then, subject to subsection (2) below, the coroner shall, in the absence of reason to the contrary, adjourn the inquest until after the conclusion of the relevant criminal proceedings and, if a jury has been summoned, may, if he thinks fit, discharge them.
- (2) The coroner—
- (a) need not adjourn the inquest in a case within subsection (1)(a) above if, before he has done so, the Director of Public Prosecutions notifies him that adjournment is unnecessary ; and
 - (b) may in any case resume the adjourned inquest before the conclusion of the relevant criminal proceedings if notified by the Director that it is open to him to do so.
- (3) After the conclusion of the relevant criminal proceedings, or on being notified as mentioned in subsection (2)(b) above before their conclusion, the coroner may, subject to the following provisions of this section, resume the adjourned inquest if in his opinion there is sufficient cause to do so.
- (4) Where a coroner adjourns an inquest in compliance with subsection (1) above, he shall furnish the registrar of deaths with a certificate under his hand stating the particulars which under the Births and Deaths Registration Act 1953 are required to be registered concerning the death, so far as they have been ascertained at the date of the certificate; and the registrar shall enter the death and particulars in the form and manner prescribed by regulations under that Act.

Status: This is the original version (as it was originally enacted).

- (5) Where a coroner does not resume an inquest which he has adjourned in compliance with subsection (1) above, he shall (without prejudice to subsection (4) above) furnish the registrar of deaths with a certificate under his hand stating the result of the relevant criminal proceedings.
- (6) Where a coroner resumes an inquest which has been adjourned in compliance with subsection (1) above and for that purpose summons a jury (but not where he resumes without a jury, or with the same jury as before the adjournment), he shall proceed in all respects as if the inquest had not previously been begun, and, subject to subsection (7) below, the provisions of this Act shall apply accordingly as if the resumed inquest were a fresh inquest, except that it shall not be obligatory on him to view the body.
- (7) Where a coroner resumes an inquest which has been adjourned in compliance with subsection (1) above—
 - (a) the finding of the inquest as to the cause of death must not be inconsistent with the outcome of the relevant criminal proceedings ;
 - (b) the coroner shall, after the termination of the inquest, furnish the registrar of deaths with a certificate under his hand stating the result of the relevant criminal proceedings ; and
 - (c) the provisions of paragraph (3) of section 18 of the Coroners Act 1887 and section 23(1) of the Births and Deaths Registration Act 1953 (duty of coroner to send registrar certificate containing information as to death and finding of inquest) shall not apply in relation to that inquest.
- (8) Where a person is charged before a magistrates' court with murder, manslaughter or infanticide or an offence under section 1 of the Road Traffic Act 1972 (causing death by reckless driving) or an offence under section 2(1) of the Suicide Act 1961 consisting of aiding, abetting, counselling or procuring the suicide of another, the clerk of the court shall inform the coroner who is responsible for holding an inquest upon the body of the making of the charge and of the result of the proceedings before that court.
- (9) Where a person charged with murder, manslaughter or infanticide or an offence under section 1 of the Road Traffic Act 1972 (causing death by reckless driving) or an offence under section 2(1) of the Suicide Act 1961 consisting of aiding, abetting, counselling or procuring the suicide of another, is committed for trial to the Crown Court, the appropriate officer of the Crown Court at the place where the person charged is tried shall inform the coroner of the result of the proceedings before that court.
- (10) Where the Director of Public Prosecutions has in pursuance of paragraph (b) of subsection (1) above requested a coroner to adjourn an inquest, then, whether or not the inquest is adjourned as a result, the Director shall inform the coroner of the result of the proceedings before the magistrates' court in the case of the person charged as mentioned in that paragraph and, if that person is committed for trial to the Crown Court, shall inform the coroner of the result of the proceedings before that court
- (11) In this section " the relevant criminal proceedings " means the proceedings before examining justices and before any court to which the person charged is committed for trial."