

2008 No. 32

CORONERS

**The Coroners (Practice and Procedure) (Amendment) Rules
(Northern Ireland) 2008**

Made - - - - - *29th January 2008*

Coming into operation - *1st March 2008*

The Lord Chief Justice, in exercise of the powers conferred on him by sections 36(1)(b), 36(1B) and 36(1C) of the Coroners Act (Northern Ireland) 1959(a) and with the agreement of the Lord Chancellor, makes the following Rules:

Citation, commencement and interpretation

1. These Rules may be cited as the Coroners (Practice and Procedure) (Amendment) Rules (Northern Ireland) 2008 and shall come into operation on the 1st March 2008.

Amendments to the Coroners (Practice and Procedure) Rules (Northern Ireland) 1963(b)

2. For rule 19 substitute the following new rule—

“The coroner shall make a record of the evidence at every inquest he holds.”.

3. In rule 38 substitute for paragraph (2) the following new paragraph—

“(2) A coroner may, on application and on payment a fee of £1.00 per sheet, furnish to any properly interested person a copy (including an electronic copy or copy made by photography or other similar process) of all or part of the record of the evidence at an inquest including any report of a post-mortem examination, or any other document put in evidence.”.

4. For Form 5 in the Third Schedule, substitute the new Form 5 set out in the Schedule.

(a) 1959 c.15 (N.I.) as amended by 1978 c.23 and 2005 c.4

(b) S.R. 1963 No. 199 to which the most recent relevant amendments were made by S.R. 1980 No. 444 and S.R. 2002 No. 37

Signed

Brian Kerr
Lord Chief Justice of Northern Ireland

Dated 22nd January 2008

I agree

Signed by the authority of the Lord Chancellor

David Hanson
Minister of State
Ministry of Justice

Dated 29th January 2008

SCHEDULE

Rule 4

“

5.

Oath of juror

I swear by Almighty God that I will diligently inquire into the death of C.D. and give a true verdict according to the evidence.”

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Coroners (Practice and Procedure) Rules (Northern Ireland) 1963 so as to—

- substitute a new rule 19 to remove the need for a note of the evidence given by a witness at an inquest to be signed by the witness as well as the coroner;
- substitute a new paragraph (2) in rule 38 to give a coroner sole discretion to decide whether to furnish to a properly interested person a copy of any document put in evidence at an inquest; and
- substitute a new Form 5, which provides for the form of oath to be taken by a juror in a coroners' court and removes the reference to our Sovereign Lady the Queen.

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Dd. N3488. C2. 2/08. Gp. 130. 14567.

£3.00