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*Status: Point in time view as at 14/12/2009. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: Coroners and Justice Act 2009, Cross Heading: Ancillary powers of coroners in relation to deaths is up to date with all changes known to be in force on or before 24 June 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)*

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# Coroners and Justice Act 2009

## 2009 CHAPTER 25

### PART 1

#### CORONERS ETC

### CHAPTER 1

#### INVESTIGATIONS INTO DEATHS

VALID FROM 25/07/2013

#### *Ancillary powers of coroners in relation to deaths*

#### **14 Post-mortem examinations**

- (1) A senior coroner may request a suitable practitioner to make a post-mortem examination of a body if—
  - (a) the coroner is responsible for conducting an investigation under this Part into the death of the person in question, or
  - (b) a post-mortem examination is necessary to enable the coroner to decide whether the death is one into which the coroner has a duty under section 1(1) to conduct an investigation.
- (2) A request under subsection (1) may specify the kind of examination to be made.
- (3) For the purposes of subsection (1) a person is a suitable practitioner if he or she—
  - (a) is a registered medical practitioner, or
  - (b) in a case where a particular kind of examination is requested, a practitioner of a description designated by the Chief Coroner as suitable to make examinations of that kind.

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- (4) Where a person informs the senior coroner that, in the informant's opinion, death was caused wholly or partly by the improper or negligent treatment of a registered medical practitioner or other person, that practitioner or other person—
- (a) must not make, or assist at, an examination under this section of the body, but
  - (b) is entitled to be represented at such an examination.

This subsection has no effect as regards a post-mortem examination already made.

- (5) A person who makes a post-mortem examination under this section must as soon as practicable report the result of the examination to the senior coroner in whatever form the coroner requires.

## **15 Power to remove body**

- (1) A senior coroner who—
- (a) is responsible for conducting an investigation under this Part into a person's death, or
  - (b) needs to request a post-mortem examination under section 14 in order to decide whether the death is one into which the coroner has a duty under section 1(1) to conduct an investigation,
- may order the body to be removed to any suitable place.
- (2) That place may be within the coroner's area or elsewhere.
- (3) The senior coroner may not order the removal of a body under this section to a place provided by a person who has not consented to its being removed there.

This does not apply to a place within the coroner's area that is provided by a district council, a county council, a county borough council, a London borough council or the Common Council.

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