

AUSTRALIAN CAPITAL TERRITORY

CORONERS ORDINANCE 1956.

EXPLANATORY MEMORANDUM

No. 14 of 1956

The purpose of this Ordinance is to amend and consolidate the law relating to Coroners. It repeals the Coroners Act, 1912, of New South Wales, as applied to the Territory by the Coroners Ordinance 1932.

The Ordinance is based largely on the Coroners Act 1935-1952 of South Australia, which incorporates some of the recommendations of the Report on Coroners made in 1936 in England by a Departmental Committee under the Chairmanship of Lord Wright.

The principal changes in the law made by this Ordinance are as follows:-

- (a) Coroners may be directly appointed as such
- (b) The Coroner is given jurisdiction over certain deaths outside the Territory;
- (c) Deaths under anaesthetics are not necessarily to be regarded as violent or unnatural deaths;
- (d) Inquests shall be held without a jury;
- (e) The Coroner is not required to view the body or scene of a fire;
- (f) The Coroner's finding in the case of deaths is limited to –
 - (i) who the deceased was;
 - (ii) when and where the deceased person came to his death, and
 - (iii) the cause of death of the deceased person;

- (g) Where the Coroner is of the opinion that a prima facie case has been established against any person for an indictable offence, he is to proceed in the same manner as the Court of Petty Sessions proceeds in the case of indictable offences;
- (h) The Supreme Court is given power to order or to quash an inquest.