



DÁIL ÉIREANN

AN BILLE CRÓINÉIRÍ (LEASÚ) 2005 CORONERS (AMENDMENT) BILL 2005

LEASUITHE COISTE COMMITTEE AMENDMENTS

DÁIL ÉIREANN

AN BILLE CRÓINÉIRÍ (LEASÚ) 2005 —AN COISTE

CORONERS (AMENDMENT) BILL 2005 —COMMITTEE

Leasuithe Amendments

SECTION 1

1. In page 3, between lines 7 and 8, to insert the following:

“(a) by the repeal of section 17 and the substitution of the following:

‘17.—Subject to the provisions of this Act, where a coroner is informed that the body of a deceased person is lying within his district, it shall be the duty of the coroner to hold an inquest in relation to the death of that person if he is of opinion that the death may have occurred—

- (a) in a violent or unnatural manner,
- (b) suddenly and from unknown causes,
- (c) in military, Garda or prison custody,
- (d) following release from military, Garda or prison custody, as a consequence of conditions of custody, treatment while in custody, or a lack of appropriate medical attention while in custody, or
- (e) in a place or in circumstances which, under provisions in that behalf contained in any other enactment, require that an inquest should be held.’”.

—Aengus Ó Snodaigh.

2. In page 3, between lines 8 and 9, to insert the following:

“(b) by the substitution of the following section for section 36:

‘36.—A summons requiring the attendance of a person at an inquest as a juror or witness shall be served on the person by a member of the Garda Síochána in one of the following ways:

- (a) by delivering it to the person;
- (b) by delivering it at the address at which the person ordinarily resides to a person who has attained the age of 16 years and who resides or is employed at that address; or

[SECTION 1]

(c) by sending it by prepaid registered post to the address at which the person ordinarily resides or, in a case where an address for service has been furnished, to that address.’,

and”.

—An tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.

3. In page 3, between lines 8 and 9, to insert the following:

“(b) by the repeal of section 30 and the substitution of the following:

‘30.—The inquest has a duty to establish the following:

- (a) the identity of the deceased;
- (b) when and where the death took place;
- (c) the medical cause of death; and
- (d) the surrounding circumstances of death;

in establishing this, the coroner is not permitted to allow any consideration of these matters which apportion civil or criminal liability.’”.

—Aengus Ó Snodaigh.

4. In page 3, between lines 8 and 9, to insert the following:

“(b) in section 31, subsection (2) by deleting the word ‘may’ and substituting ‘should’ and after ‘inquest’ by inserting ‘where appropriate in the public interest’”.

—Aengus Ó Snodaigh.

5. In page 3, lines 9 to 31 and in page 4, lines 1 to 15, to delete paragraphs (b) and (c) and substitute the following:

“(b) the substitution of the following section for section 37:

‘37.—(1) A person who, having been duly served with a summons requiring him to attend an inquest as a juror, fails to attend on the date and at the time and place specified in the summons shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €500.

(2) A person who, having been duly served with a summons requiring him to attend an inquest as a witness, fails to attend on the date and at the time and place specified in the summons shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €3,000 or to imprisonment for a term not exceeding 12 months or to both.

[SECTION 1]

(3) The amendment of this Act (other than this subsection) effected by *paragraph (b)* of section 1 of the Coroners (Amendment) Act 2005* shall not apply if the date specified in the summons concerned falls before the passing of the second-mentioned Act.’”.

—An tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.

**[This is the appropriate reference if this amendment is accepted.]*

SECTION 2

Section proposed to be deleted.

—An tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.