

Q.

Read the National Coroners Service Act no 17 of 2017, then prepare a write up summarising the provision of the act, express your opinion on the roles of the Pathologists and other medical practitioners in the implementation of the provisions of this act.

A.

In 2017, the Parliament enacted the National Coroners Service Act (NCS Act) which provides the outline for the investigation of reported deaths. A coroner is an official who conducts formal inquiries of unexplained deaths. The Coroners' Service is to be headed by a trained doctor with qualifications and skill in pathology, including providing evidence to the courts. The NCS Act gives an opportunity for independent forensic documentation and reporting by qualified pathologists. Under Section 26, the coroner must undertake a full medical investigation of every death suspected to be of a criminal nature. Section 25 provides that every death of a violent nature or in an exceedingly long list of other circumstances must be reported to the coroner directly or through the police. Deaths in custody must be reported to the coroner within six hours. Where the coroner concludes that a reported death arose out of crime, an interim report is forwarded to the National Police Service and the Director of Public Prosecutions within 24 hours of the report of death for purposes of criminal investigation while the final and conclusive report is submitted in seven days. This is able to assure quicker independent probes into suspicious deaths within the country. Under Section 62, the state bears the costs for a postmortem examination or autopsy of reportable deaths thus easing the financial constraints on the victims' families. Even after its enactment, the Act is still not in effect.

In my opinion, the coroner's job description is to conduct a medical investigation but an inquest is not just a medical matter hence a multidisciplinary approach would provide better quality work. It should be important to get a report of the observations made by the doctors who observed the victim in a clinical summary. This makes the coroner's work easier as they have a better detailed history to work with. In the event of police brutality causing death, the Act needs to provide a framework on how the reporting would be done given that the police is involved.