

## Coronial Investigations – what to expect at an inquest

The Coroners Court of Queensland (CCQ) independently investigates reportable deaths.

We extend our condolences to you for your loss.

This factsheet is intended to provide general information about inquests. If you need other information, please see:

[https://www.coronerscourt.qld.gov.au/\\_data/assets/pdf\\_file/0009/749412/Coronial-investigation-guide-for-families-and-friends.pdf](https://www.coronerscourt.qld.gov.au/_data/assets/pdf_file/0009/749412/Coronial-investigation-guide-for-families-and-friends.pdf)

### What is an inquest?

An inquest is a court hearing held by a coroner as a **way of gathering information** about the cause and circumstances of a death or a group of related deaths.

Inquests are not trials: they do not involve a jury and they are not focused on questions of guilt or liability.

Coroners use inquests to determine the facts and make recommendations that may prevent similar deaths in the future.

### What happens at an inquest?

Inquests vary in complexity, but in general the coroner hears evidence from people who may have information about the circumstances of the deceased person's death. People providing evidence can include police officers, family members, professional experts, such as doctors and scientists, eyewitnesses and members of the public. For an example of who will be in the court room, see the last page.

After hearing all the evidence, the coroner adjourns the inquest to make their findings. The period of adjournment varies, but in complex cases it can last for months.

### Are inquests common?

Most coronial investigations do not require an inquest. In the majority of cases, the coroner is able to make findings without holding an inquest. Inquests must be held if:

- the person was in custody;
- the person was involved in a police operation (unless the coroner believes that an inquest is not required); or
- the person was in care and issues about the care have been identified.

In addition, coroners may hold an inquest if they believe the hearing is in the public interest. For example, a coroner may decide to hold an inquest to examine system flaws affecting public health and safety, or where significant doubt remains about the cause and circumstances of the death. The Attorney-General can also direct that an inquest be held.

### Can anyone ask that an inquest be held?

Yes. You can make this request by writing to the coroner outlining why you think it is in the public interest for an inquest to be held. The coroner will generally make a decision (and provide reasons) within six months of your request. The coroner may contact you to extend the time for this decision to be made.

If the coroner declines the request for an inquest, an application may be made to the State Coroner to order an inquest. If the State Coroner declines to hold an inquest, an application can be made to the District Court for an inquest to be held.

### How will I know when the inquest will be held?

The nominated family member of the deceased will be advised if an inquest is to be held. A list of inquest proceedings is published on the CCQ website at:

<https://www.coronerscourt.qld.gov.au/findings-upcoming-inquests/inquest-proceedings-list>

### Who can attend an inquest?

Because inquests consider matters of public interest, they are generally open to the public. In rare cases, the coroner may decide to exclude certain individuals or the public for a part or all of the hearing. Coroners may also prohibit the publication of evidence heard or the names of any witnesses or the deceased person.

Family and friends of the deceased person are able to attend inquests. It is important to remember, however, that the purpose of the inquest is to establish facts, and this can be distressing. Counselling and support services are available to you at this difficult time. Support services are listed at the end of this factsheet.

The inquest will involve hearing statements from witnesses, listening to audio or watching video files. Inquests can also involve complex legal arguments and detailed consideration of evidence.

While coroners always ensure that the proceedings are respectful, it is unavoidable that inquests will contain confronting information discussed in terms families may consider impersonal or 'blunt'.

### **Does the family need to be legally represented?**

Anyone with sufficient interest (including family members) can apply to the coroner to participate in the inquest. If you are given permission to participate in the inquest, you can ask questions and make submissions. Persons can act for themselves or they can be legally represented.

The counsel assisting the coroner is an independent person who ensures that all relevant information is presented to the coroner. The counsel assisting does not act for the family, but they may be able to provide a brief explanation of the process and the issues to be explored at the inquest. If a family is unrepresented and does not want to represent themselves, the counsel assisting can ask relevant questions on behalf of the family.

### **Legal assistance**

If you would like to obtain legal advice, the following services can be contacted, or you may choose to contact a legal firm of your choice:

#### **Legal Aid Queensland**

For information and referral for legal advice, and advice on whether you qualify for free legal aid.

Phone: 1300 65 11 88

Website: [www.legalaid.qld.gov.au](http://www.legalaid.qld.gov.au)

#### **Queensland Law Society**

For names of legal firms in your area that specialise in inquests and coronial law.

Phone: 1300 367 757

Website: [www.qls.com.au](http://www.qls.com.au)

#### **Queensland Coronial Legal Service**

Provides free legal advice to bereaved family members about any aspect of the coronial process and related issues.

Phone: (07) 3214 6333

Website: <https://caxton.org.au/how-we-can-help/queensland-cornial-legal-service/>

#### **Community Legal Centres Queensland**

Find your nearest community legal centre.

Phone: (07) 3392 0092

Website: [www.communitylegalqld.org.au/](http://www.communitylegalqld.org.au/)

#### **The Aboriginal and Torres Strait Islander Legal Service**

Culturally sensitive legal services to Aboriginal and Torres Strait Islander people in Queensland.

Phone: 1800 012 255 (free call)

Email: [coronial@atsils.org.au](mailto:coronial@atsils.org.au).

Website: <https://atsils.org.au/>

### **Will I need to be a witness?**

It may be necessary for police to take a statement from you about the death.

After reading your statement the coroner may decide you need to attend the inquest to give further evidence. If you are required to give evidence you will be notified in advance. You can contact the coroner's office if you are unsure about what you need to do. You may also wish to seek legal advice.

### **How long will the inquest take?**

The length of an inquest will vary depending on the complexity of the case, the number of witnesses, and the number of persons granted leave to appear. The length of time required is often estimated at the pre-inquest conference.

### **What is a pre-inquest conference?**

A pre-inquest conference will usually be held after the coroner has decided to hold an inquest. At the pre-inquest conference, counsel assisting will usually provide a brief overview of the death and outline the issues proposed to be considered at the inquest along with the proposed witnesses to be called at the inquest. Counsel assisting will also propose when and where the inquest will

happen. Persons (including family) may make submissions in response to the details raised by counsel assisting. The coroner will decide on the issues to be explored at the inquest, along with which witnesses will give evidence. The coroner will also determine when and where the inquest will be heard.

### The coroner's findings

The coroner must deliver written findings about the identity of the deceased; when, where and how they died; and what caused them to die. The coroner will determine if the findings are delivered in 'open' court or in 'chambers'.

The coroner's findings (and where relevant, recommendations) cannot be used as evidence in any other court or tribunal. However, the coroner is able to refer a matter to the Director of Public Prosecutions or to a disciplinary body for consideration and possible action.

The findings will be provided to the nominated family member and must be published on the CCQ website at:

<https://www.coronerscourt.qld.gov.au/findings-upcoming-inquests/search-findings>

If recommendations are made, the findings will also be sent to the relevant government department or agency.

### Cultural Sensitivities

We are committed to fostering and engaging in culturally sensitive and appropriate practices. Families are invited to share any cultural or kinship considerations early in the investigation, to ensure their needs can be considered.

We strive to ensure that information is provided to families in a way that is culturally safe and respectful.

### Translated information

We can arrange interpreting services to assist people from culturally and linguistically diverse backgrounds to better access and understand the coronial process.

You can also call Translation and Interpreting Services (TIS 131450) and ask for a telephone interpreter to engage with us on 1300 304 605.

### Further Information

Practice Directions are procedural guidelines issued by judicial officers in the Courts.

The Practice Direction about Family Statements is found here:

[https://www.coronerscourt.qld.gov.au/\\_data/assets/pdf\\_file/0007/797740/2024.02-family-statements.pdf](https://www.coronerscourt.qld.gov.au/_data/assets/pdf_file/0007/797740/2024.02-family-statements.pdf)

Procedures for Pre-Inquest Conferences and Inquests are found here:

[https://www.coronerscourt.qld.gov.au/\\_data/assets/pdf\\_file/0012/797736/2024.01-procedures-for-pre-inquest-conferences-and-inquests.pdf](https://www.coronerscourt.qld.gov.au/_data/assets/pdf_file/0012/797736/2024.01-procedures-for-pre-inquest-conferences-and-inquests.pdf)

### Contacts and support services

#### Coroners Court of Queensland

GPO Box 1649 Brisbane QLD 4001  
Phone: (07) 3738 7050 (*main registry in Brisbane*)  
Outside Brisbane: 1300 304 605 (local call cost)  
Email: [CoronersCourt@justice.qld.gov.au](mailto:CoronersCourt@justice.qld.gov.au)  
Website: [www.coronerscourt.qld.gov.au](http://www.coronerscourt.qld.gov.au)

#### Queensland Police Coronial Support Unit (CSU)

Co-located at most of our registries, the CSU coordinates coronial processes and liaises with forensic pathologists and mortuary staff.

Phone: (07) 3292 5901  
Email: [QPSOfficeStateCoroner@police.qld.gov.au](mailto:QPSOfficeStateCoroner@police.qld.gov.au)

#### Forensic Pathology and Coronial Services

Phone: 1800 000 377 (free call)  
Email: [Forensics@health.qld.gov.au](mailto:Forensics@health.qld.gov.au)

#### Coronial Family Services

Phone: (07) 3096 2794  
1800 449 171 (free call)  
Email: [FSS.Counsellors@health.qld.gov.au](mailto:FSS.Counsellors@health.qld.gov.au)

#### Registry of Births Deaths and Marriages

PO Box 15188 City East QLD 4002  
Phone: 13 74 68  
Email: [bdm-mail@justice.qld.gov.au](mailto:bdm-mail@justice.qld.gov.au)  
Website: [www.qld.gov.au/rbdm](http://www.qld.gov.au/rbdm)

### **Victim Assist Queensland**

Providing information, advice support services and financial assistance to victims of crime.

Phone: 1300 546 587

Website: <https://www.qld.gov.au/law/crime-and-police/victim-assist-queensland>

### **The Office of the Health Ombudsman**

The agency to take complaints/concerns about Queensland health services and/or providers.

Phone: 133 646

Website: [www.oho.qld.gov.au](http://www.oho.qld.gov.au)

### **Consultative Committee for work-related fatalities and serious incidents**

Providing injured workers and families affected by a workplace death with information and support.

Phone: 0417 910 130

Email: [OHSConsultativeCommittee@oir.qld.gov.au](mailto:OHSConsultativeCommittee@oir.qld.gov.au)

Website: [www.worksafe.qld.gov.au/about-us/consultative-committee](http://www.worksafe.qld.gov.au/about-us/consultative-committee)

### **Queensland Homicide Victim Support Group**

Offering 24 hour / 7 days support, advocacy, and information for those affected by a homicide.

Phone: 1800 774 744

Website: [www.qhvsq.org.au/](http://www.qhvsq.org.au/)

### **Compassionate Friends Queensland**

Offering friendship and grief education to families following the death of a child.

Phone: 1300 064 068

Email: [admin@tcfqld.org.au](mailto:admin@tcfqld.org.au)

Website: <https://tcfa.org.au/qld/>

### **Survivors of Suicide Bereavement Support Association (SOSBSA)**

Supporting those bereaved by suicide and those at risk of suicide.

Phone: 1300 659 467

Website: [www.sosbsa.org.au](http://www.sosbsa.org.au)

### **Standby – Support After Suicide**

Supporting those bereaved or affected by suicide.

Phone: 1300 727 247

For the deaf and hard of hearing: SMS 0428 842 041 (6am-10pm 7 days)

Website: [www.standbysupport.com.au](http://www.standbysupport.com.au)

### **Suicide Call Back Service**

Providing free 24 hour / 7 days phone and online counselling to people affected by suicide.

Phone: 1300 659 467

Website: [www.suicidecallbackservice.org.au/](http://www.suicidecallbackservice.org.au/)

### **Roses in the Ocean**

Providing a Peer CARE Companion warmline – a call back service where you can speak with a trained volunteer who has also been bereaved through suicide.

Phone: callback service 1800 77 7337

Website: <https://rosesintheocean.com.au/>

### **Lifeline Australia**

Providing free 24 hour / 7 days phone crisis support.

Phone: 13 11 14

Website: [www.lifeline.org.au/](http://www.lifeline.org.au/)

### **Kids Helpline**

Providing free and confidential 24 hour / 7 days online and phone counselling for young people aged 5 to 25.

Phone: 1800 55 1800

Website: [www.kidshelpline.com.au/](http://www.kidshelpline.com.au/)

### **Mensline**

Providing free telephone and online counselling and support for Australian men.

Phone: 1300 78 99 78

Website: [www.mensline.org.au/](http://www.mensline.org.au/)

## First Nations Family Support Services

### 13 YARN

Providing a free 24 hour / 7 days culturally safe support line for mob who are feeling overwhelmed or having difficulty coping.

Phone: 13 92 76

Website: [www.13yarn.org.au/](http://www.13yarn.org.au/)

### Aboriginal and Torres Strait Islander Family Wellbeing Services

Providing free and confidential support for Aboriginal and Torres Strait Islander families to improve social, emotional, physical, and spiritual wellbeing, and help families safely care for and protect their children.

Phone: 1300 117 095

Website: [www.familywellbeingqld.org.au/](http://www.familywellbeingqld.org.au/)

### Thirrili

Thirrili Indigenous Postvention Response Service supports communities, families, and individuals experiencing trauma in the aftermath of suicide. Their culturally safe support system respects local cultural protocols and practices, promoting self-determination in bereavement and healing. Thirrili operates a suicide support phone service 24 hour 7 days a week.

Phone: 1800 805 801

Website: <https://thirrili.com.au/>

### Mob Link

Staffed by a deadly team of intake officers, nurses, doctors, Indigenous outreach workers and social workers, Mob Link supports Aboriginal and Torres Strait Islander people in Southeast Queensland to access same-day care or support to connect to health and social services.

Phone: 1800 254 354 7am to 8pm, 365 days

Website: <https://www.iuih.org.au/our-services/mob-link/>



## In the courtroom

### Coroner's Bench

#### Coronial Court Support Officer:

They run the courtroom, record the inquest, and administer the oath/affirmation to witnesses

#### Witness:

They are called to give evidence at the inquest

#### Counsel Assisting:

A lawyer who assists the coroner with the inquest

#### Lawyers:

Counsel who represent other interested parties

#### Family and friends:

Loved ones of the deceased person

#### Media and Public:

Most inquests are open to the public - media and members of the public can attend