

Coronial investigations - information for family and friends

The coroner's role

The coroner is a magistrate who is responsible for investigating reportable deaths. These include deaths where the identity of the person is unknown, the death was violent or unnatural, such as accidents, falls or suicides, the death was suspicious, the cause of death is unknown, the death occurred in care, the death occurred in custody or as a result of police operations or the death was the unexpected outcome of health care being provided.

The coroner will investigate the death to find out the identity of the deceased person, when and where they died, how they died and the medical cause of death.

It is not the coroner's role to find that people are guilty of criminal offences or civilly liable.

The role of police

Deaths are usually reported to the coroner by the police who attend the scene. The police will obtain initial information about the death from family, friends and witnesses, arrange for the government contracted funeral director to take the deceased person to a mortuary, arrange for the formal identification of the deceased, prepare an initial report for the coroner, and assist the coroner during the investigation.

The coroner's investigation

After considering the initial police report and the results of the post-mortem examination, the coroner will decide whether further investigation is required.

Once the post-mortem examination is completed the deceased is released to the funeral director chosen by the family.

The coroner may ask police to conduct further investigations into the death or obtain information from other parties.

Next of kin

The next of kin is our main point of contact throughout the coroner's investigation. There may at times be more than one nominated next of kin in relation to a coronial matter. The coroner has discretion regarding what information to release and to whom. The next of kin may appoint a legal representative to act on their behalf. Your representative may communicate with the court on your behalf.

Unfortunately, this office cannot discuss matters pertaining to an open investigation with anyone other than the next of kin (or their recognised representative), and family members who become interested parties (at the coroner's discretion).

Recognition by this office of a person as a next of kin does not constitute formal legal recognition for any other purpose.

Please let the coroner's office know if you change your address or contact details.

Will there be an inquest?

As part of the investigation, the coroner will decide if an inquest is required. An inquest is a court hearing conducted by the coroner to gather more information about the cause and circumstances of a death. If an inquest is held the coroner may make recommendations aimed at preventing deaths in the future. The coroner will consult with the family about whether an inquest will be held.

Very few coronial investigations proceed to inquest. However, the coroner may decide to hold an inquest if it is in the public interest. For example, an inquest may be ordered if there is significant doubt about the cause and circumstances of death or it may help to prevent future deaths or uncover systemic issues which affect public health and safety.

The family of the deceased will be advised if an inquest is to be held. A notice will also be published on the Queensland Courts website at www.courts.qld.gov.au/courts/coroners-court.

Family members can ask the coroner to hold an inquest. This written request should outline why it is in the public interest for an inquest to be held.

The coroner must make a decision (and provide reasons) within six months of receiving the request. The coroner may contact the family to extend the time for this decision to be made.

If the coroner declines the request, an application can be made to the state coroner or the District Court for an inquest to be held.

The coroner's findings

Once the coronial investigation is complete the coroner will make findings about the identity of the deceased; when, where and how they died; and what caused them to die. If an inquest is held the coroner may also make recommendations aimed at preventing similar deaths from occurring in future.

The findings will be provided to the family. If an inquest is held the findings will also be published on the Queensland Courts website at www.courts.qld.gov.au/courts/coroners-court. If the coroner makes recommendations, they will be sent to the relevant entity.

Legal assistance

Free legal advice can be obtained from the Queensland Coronial Legal Service which provides legal advice to bereaved family members about any aspect of the coronial process and associated issues.

Alternatively, contact Community Legal Centres Australia on (02) 9264 9595 or visit their website at <https://clcs.org.au/> to find your nearest community legal centre.

Further legal assistance contacts and contact information about the Queensland Coronial Legal Service can be found on the Coroners Court of Queensland website at <https://www.courts.qld.gov.au/courts/coroners-court>.

Obtaining a copy of the death certificate

A form which shows the cause of death will be sent to the Registry of Births, Deaths and Marriages. Once this occurs the death is officially registered. You can obtain a copy of the Death Certificate from the Registry of Births Deaths and Marriages or the funeral director can obtain a copy for you.

In some cases, the cause of death may not be determined until further test results are known. In these cases, an interim Death Certificate is issued. This will be updated once the doctor advises the Registry of Births Deaths and Marriages of the cause of death. The updated Cause of Death Certificate can be obtained free of charge if you return the interim Death Certificate to the Registry.

Registry of Births Deaths and Marriages

PO Box 15188 City East QLD 4002
Phone: 13 74 68
Email: bdm-mail@justice.qld.gov.au

Coronial Family Services

Coronial Family Services is based at Queensland Health Forensic and Scientific Services in Brisbane. Skilled counsellors provide information and support to the relatives of people whose deaths are being investigated by the coroner.

Phone: (07) 3096 2794

Fax: (07) 3274 9166

Free call: 1800 449 171

Email: fss.counsellors@health.qld.gov.au

Coroners Court of Queensland

GPO Box 1649 Brisbane QLD 4001

Phone: (07) 3738 7050

Outside Brisbane: 1300 304 605 (local call cost)

Fax: (07) 3740 6695

Email: state.coroner@justice.qld.gov.au

Website: www.courts.qld.gov.au/courts/coroners-court

