The Coroners Court in ACT

FACT SHEET 8

What happens after the coronial process?

THIRRILI

This fact sheet explains the steps that can be taken after a coroner has handed down their findings and any available legal options for families when contesting the findings of the coronial process. You should always get your own legal advice is before taking legal action.

Where can I get a copy of the coroner's findings?

- Following an investigation by a coroner into the death, the coroner will hand down a written finding. The findings are put on a database available to the public: Austlii database. You can search for a particular finding by name, case number, type of death or location of death using the search field.
- Each member of the immediate family (or their lawyer or other representative) will be sent, by post, a written copy of the coroner's decision, if requested.

What is a coroner's finding and what does it mean for the deceased's family?

- A finding by the coroner is made following an investigation into a death and provides the identity of the deceased, the time, date and place of death, a summary of the evidence relating to the circumstances of the death, and in some cases the coroner's comments or recommendations aimed at preventing similar deaths.
- A finding handed down by the coroner is not the same as a judgment handed down by a judge in a court room. It is a fact-finding process and will not find anyone guilty of a crime, or solve any of the problems experienced by the community affected by the death.
- Speak to a lawyer about options if you wish to take further legal action after a coroner has made their findings.

Applying to have findings reconsidered and reopening investigations

- A person dissatisfied with a coroner's decision about whether a death is a reportable death may apply for an order, from the State Coroner or District Court, about whether it is a reportable death. An application must be made within 14 days after the person receives written reasons for the decision. If the State Coroner or the District Court orders that the death is a reportable death, the coroner is taken to have considered the death to be a reportable death.
- The Coroner's Court can set aside some or all of the findings and order that an investigation be re-opened if a coroner is satisfied that there are new facts and circumstances that should be considered. If the Coroner's Court refuses to re-open an investigation, a person who made the request may appeal to the Supreme Court.
- A person dissatisfied with a finding at an inquest may apply to the Chief Coroner to ask the coroner to reconsider the decision and alter the finding. You can appeal the decision to the Supreme Court, ask for a fresh inquest, or (in rare cases) request the inquest be quashed and a new inquest be held.

This information was last updated in December 2024 and does not constitute legal advice.