FACT SHEET 9

My loved one's body and things

THIRRILI

This fact sheet explains what happens to the body of your loved one if medical examination is required, what you can do if you object to a medical procedure happening, and when and who can get the body when the coroner is ready to release it.

What happens to the body?

- If the body requires medical examination for a coronial investigation, it will be transported from the place of death or where it is being stored to a designated local mortuary.

Preliminary examination

- A doctor or pathologist will do the 'preliminary examinations' which are not very invasive. This might include things like collecting fingerprints, looking inside at the teeth and inside the mouth, and taking samples of blood and urine. The internal organs are left alone.

Autopsy

- An autopsy is a type of medical procedure performed by a pathologist. It might also be referred to as a "post-mortem".
- An autopsy includes external and internal examinations using techniques like those used in surgical operations. The chest, abdomen and skull are examined, and some organs are examined. This may involve removing the organs.
- In some instances, a more detailed examination of an organ, like the brain or heart, might be necessary to establish the cause of death. If the pathologist thinks this needs to happen, they will require permission from the coroner to remove the organs and keep them for several weeks.
- If any tissue is removed from the deceased's body for testing during the autopsy, the coroner must not order the release of the body unless a family member of the deceased has been informed of the removal of the tissue.
- A family member can tell the coroner of their wish to test, use, or bury the tissue.

What can I do if I object to the autopsy?

- If the coroner gives a direction that an autopsy be performed, a family member or person with sufficient interest may raise their concerns to the police, the Coroner's office, a coronial counsellor or a coronial nurse about an internal autopsy for any reason, such as cultural traditions or spiritual beliefs.
- If the coroner decides the autopsy should still occur, they must give written reasons and then the family member to apply to a court for a review.

What is exhumation?

- If the body has already been buried and an autopsy is needed, the body may need to be removed from the ground or burial site. This is called exhumation.
- A coroner may order the exhumation of a body for post-mortem examination if the body is buried, or for the recovery of the ashes if the body has been cremated.
- When dealing with Aboriginal burial remains, the coronial investigation must cease, and management of the remains should be transferred to officers from the Cultural Heritage Coordination Unit of the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs and representatives of the traditional owners of the land where the remains were found.

When can I get the body?

- The coroner will authorise the release of the body as soon as they can.
- If there are cultural practices that mean the body needs to be released by a certain time, the Coronial Family Service can make the coroner aware of the specific needs of the family.
- The family's nominated funeral director must submit a request for release form.

- If there are competing claims for release of the body, the coroner might ask the parties to try to work out a solution together. If a solution can't be reached, then priority will be given to the executor of the deceased person's estate.
- The body will be released to the funeral director, who will collect the body and prepare it for burial or cremation.

What about a death certificate?

- You or the funeral director can get a copy of the death certificate after the death is officially registered by contacting the Registry of Birth, Deaths, and Marriages.
- If the cause of death has not yet been determined you or the funeral director can request an interim death certificate by contacting the Registry of Birth, Deaths, and Marriages.

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

More help

Coronial Family Services provides counsellors who can provide information and support to the family of someone whose death is being investigated by the coroner. This is not a First Nations specific service.

If the body needs to be transported to the deceased's traditional homelands (within QLD) and the family or SNOK can't cover this cost, financial assistance may be available via the CCQ Funeral Assistance Scheme.

If the family or SNOK can't pay for the funeral, an application can be made to the CCQ Funeral Assistance Scheme.

For more information about the coronial process from the Queensland Coroners Court visit: Coronial investigations - information for family and friends (coronerscourt.qld.gov.au)