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 a 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 my loved one's things that were with them when they died?

- If a person dies in hospital, or is dead on arrival at a hospital, then that hospital will be responsible for personal items. Similarly, if the death occurs in an institution, property will remain with the institution for collection by next of kin.
- If a person dies at home, personal items will either be handed to relatives by the police or taken for safe keeping to the local police station.
- If the deceased is admitted to the city mortuary, clothing and personal items are generally handed over to the funeral director. However, if the clothing is contaminated in any way it will be disposed of. This is for work, health, and safety reasons.
- Generally, valuables and clothing may be collected by the next of kin. However, if any of these items are required as evidence, they will not be available until sometime after the police and the State Coroner have concluded their investigations.
- Disputes over the ownership of valuables or any other property is not a coronial matter and therefore coronial staff are not permitted to become involved. Such matters should be referred to the executor of the estate, and if there is no will, the Public Trustee.

What happens to the body?

- If the body requires medical examination for a coronial investigation, it will be transported from the place of death to the Forensic Science Centre in Adelaide.

Preliminary examination

- A doctor or pathologist will do a 'preliminary examination' of the body of a deceased which is 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 this does happen, a social worker will contact the senior next of kin to discuss options.

What can I do if I object to the autopsy?

- It is the coroner's decision as to whether an autopsy is conducted. The coroner should be advised immediately of any objection to an autopsy being conducted.
- Any objection to the autopsy must be made in writing addressed to the Coroner's Court (this can be done via email at coroner@courts.sa.gov.au).
- The coroner will take your concerns into account but may still decide that an autopsy is required. This is more likely to happen if the coroner believes there is a remaining suspicion surrounding the death.

What is exhumation?

- If the body has already been buried and an autopsy is needed, the body may be removed from the ground or burial site. This is called exhumation.
- If this is needed, the Attorney-General will need to authorise the exhumation.

When can I get the body?

- The coroner will authorise the release of the body as soon as they can. An approach to a funeral director should be made as soon as possible. The funeral director will liaise with the State Coroner's Court regarding the release of the body.
- The body cannot be released until the post mortem is complete and the body has been formally identified. In a small number of cases there may be a delay in release, usually associated with difficulties in identification or related to the collection of evidence.
- It is recommended that a funeral service date is not set until the Coroner's Court formally releases the body of your loved one. Please discuss this with your funeral director.

What about a death certificate?

- If a finding has not yet been made by a coroner, the Registrar of Births, Deaths and Marriages is only able to issue an interim death certificate.
- Once a coroner has made a finding and advises the Registrar of Births, Deaths and Marriages, the registrar will, upon application and payment of a fee, provide you with a full death certificate.

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

More help

For more information about autopsies from the Courts Administration Authority of South Australia visit: Post-mortems - CAA (courts.sa.gov.au)

For more information about the coronial process in general form the Courts Administration Authority of South Australia visit: Practical issues for relatives - CAA (courts.sa.gov.au)