The Coroners Court in QLD

FACT SHEET 6

Cultural Protocols in Coronial Investigations

THIRRILI

This fact sheet explains the role of culture in a coronial inquest when a family member dies and who you can speak to for help to get the coroner to understand your traditions.

Making the coroner understand our sorry business and culture

- The Coroners Court of Queensland already follows a cultural competency guide on sorry business. Further, a person with a sufficient interest (i.e. a family member) can appear at an inquest hearing to make submissions, which can be used as an opportunity to tell the coroner about what customs you would like to be observed during the process.
- The coroner is required to ask the next of kin whether the deceased identified with a particular traditional owner group.

Visiting a deceased person

- The deceased person can be visited by anyone with a sufficient interest.

Smoking ceremony at an inquest

- A smoking ceremony will be allowed if it is safe and appropriate. You or your lawyers can contact the court staff in advance of the hearing to request this.

Culturally significant items and acknowledgement of Country

- You or your lawyers can contact the court staff in advance of the hearing to request the display of culturally significant items and a specific acknowledgement to country.

Using the name and images/videos of the deceased

- The default position is that the coroner will refer to the deceased by their surname. The coroner is required to ask the next of kin as to how the deceased's name can be used. The coroner is also asked to consult with the next of kin on the use of images and video recordings in the hearing.

Next of Kin

- The process in Queensland for determining the deceased's next of kin takes into account cultural considerations such as Marigeths and the practice of Kupai Omasker. You can learn more about this process in our fact sheet 5: Senior Next of Kin.

Language

- The Coroners Court of Queensland can try to organise an interpreter who speaks your language at the hearing. You or your lawyers should contact the court staff in advance of the hearing to ensure an interpreter can be organised. The court may first attempt to use a family member of the deceased if they understand the relevant languages.

Men's or Women's Business

- The coroner is aware of men's and women's business and will take this into account. The coroner is advised to consult with the next of kin as to whether they would prefer to speak to someone from their own gender.

More help

You can contact the Coroners Court of Queensland for further information on (07) 3738 7050 or at state.coroner@justice.qld.gov.au.

You can contact the Aboriginal and Torres Strait Islander Legal Service (Qld) on 1800 012 255 or at info@atsils.org.au to obtain legal advice on the above.

If you are struggling with the death of a loved one, you can call 13YARN (13 92 76) for free support.