The Coroners Court in WA

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 getting the coroner to understand your traditions.

Making the coroner understand our sorry business and culture

- The State Coroner takes cultural considerations into account. The deceased's next of kin and any interested parties can appear at an inquest 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.

Visiting a deceased person

- The State Coroner takes cultural considerations into account. The deceased's next of kin and any interested parties can appear at an inquest 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.

A deceased person's country obligations

- The coroner is not bound to take into account the deceased's country obligations, but the next of kin or an interested party can make submissions at an inquest hearing explaining how and why the coroner should take such obligations into account.

Smoking ceremony at an inquest

- You or your lawyers can contact the court staff (see below for contact details) in advance of the hearing to request a smoking ceremony, but there is no guarantee it will be allowed.

Culturally significant items and acknowledgment of country

- You or your lawyers can contact the court staff (see below for contact details) in advance of the hearing to request the display of culturally significant items and a specific acknowledgement to country. There is no guarantee that this will be allowed.

Using the name and images/videos of the deceased

- You can inform the coroner at the start of the hearing that you would like to be informed in advance about the use of the name and images/video of the deceased. You can leave the hearing at any time you like.

Next of kin

- Determining the deceased's next of kin does not involve any consideration of Indigenous kinship relationships in Western Australia. Rather, there is a test based on Western understandings of familial relationships (for more information, see Fact Sheet 5: Next of Kin and the Coroner's Court).

Language

- The Coroner's Court of Western Australia can try to organise an interpreter who speaks your language at the hearing. You or your lawyers should contact the court staff (see below for contact details) in advance of the hearing to ensure an interpreter can be organised.

Men's or Women's business

- The deceased's next of kin or an interested party can make submissions to the coroner explaining how and why men's and women's business should be separated in the process. However, the Coroner's Court of Western Australia is not bound to follow the rules of men's or women's business.

More help

- Coroner's Court of Western Australia can be contacted via phone or email (08) 9425 2900 or at coroner@justice.wa.gov.au.
- Aboriginal Legal Service of Western Australia can be contacted via phone:1800 019 900
- If you are struggling with the death of a loved one, you can call 13YARN (13 92 76) for free support.

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