



Office of the ACT Chief Coroner

Coronial Practice Direction No. 2 of 2018 – Observers at PM

This Direction is issued pursuant to section 51A(2) of the Coroners Act 1997 ("the Act") and prescribes practices and procedures in relation to observers at post-mortem examinations.

1. The term "observer" is meant in this context as a person who is not assisting with the post-mortem examination in any way but is present at any examination being conducted by a person duly authorised by a Coroner, or a person who is conducting another form of observation or examination of the deceased person which is not required for the purposes of the inquest. Examples of types of observers that the Chief Coroner has already generally approved for attendance are AFP recruits, AFP trainees, medical students, forensic science students, DFAT consular trainees, and ADFIS trainees.
2. The Chief Coroner and Coroners provide general approval for attendance of persons or classes of people who would benefit from attendance at a post-mortem as part of the exercise of their employment duties, such as police, forensics and ambulance officers, military death investigators and medical students, subject to approval by the Coroners Legal Manager, and the attending pathologist and subject to the terms detailed at paragraph 4 below. The Coroners Legal Manager should be provided with copies of any request for observers to observe a deceased person or a post-mortem examination in writing at least 1 week in advance of the intended visit (although the final list of names may be provided closer to the visit) and detail what type of and the purposes for observation or examination that is sought. The Coroners Legal Manager is to keep a record of the number and source of those requests and the number of approved attendees to the facility. This information is to be provided to the Chief Coroner annually and, subject to contrary direction, included in the Chief Coroner's Annual Report.
3. In all other cases, the approval of the Chief Coroner and the Coroner on duty must be sought for the attendance of observers at post-mortem examinations. Except in time-sensitive situations, such as requests to attend an examination of a deceased family member, such requests should be received in writing at least 2 weeks in advance of the intended visit (although the final list of names may be provided closer to the visit) and detail what type of and the purposes for observation or examination that is sought.
4. Any approval for observers given by the Coroners Legal Manager or a Coroner is, subject to any contrary direction, granted pursuant to the following conditions:

- a. All approvals for observers are subject to the operational requirements of the ACT Forensic Medicine Centre ("FMC") and any visit may be cancelled at any time, without notice, on this basis;
- b. The list of observers is to be provided by email to the Court and FMC at least 2 days in advance of the intended visit, and if a form has been approved by the Coroners Legal Manager for this purpose, the form must be used;
- c. Where observers are attending as a group, they must arrive at the FMC as a complete group (ie. not individually);
- d. Observers must not expect to be able to park on the grounds of the FMC and should make their own arrangements for external parking;
- e. While at the FMC and on FMC grounds observers are to follow all directions of FMC staff;
- f. On arrival observers are to receive a briefing from FMC staff which includes advice as the need to maintain confidentiality in respect of the deceased person;
- g. Observers must sign a confidentiality undertaking, and must not observe a deceased person who is known to them or where the possibility of a conflict of interest might arise;
- h. The FMC will not provide any personal protective equipment (such as scrubs and mask) for observers, who must bring their own equipment appropriate to the type of examination or observation which is intended, and a failure to bring appropriate equipment is a valid reason for FMC staff to cancel the visit;
- i. Observers may only observe deceased persons where the family of the person has provided express, informed consent in advance of the intended visit;
- j. At all times observers must act in a dignified and respectful manner towards the deceased, and towards FMC staff;
- k. Depending on the nature of the intended observation or examination, Police and the FMC Mortuary Manager are to take all reasonable steps to identify appropriate cases for the visit;
- l. If at the date of the intended visit there are no cases considered appropriate for the intended observation or examination (including for lack of familial consent), the FMC Mortuary Manager will cancel the visit;
- m. In the event of cancellation of a visit, there is no entitlement to or automatic rescheduling of the visit; a fresh request will need to be made; and
- n. Failure to follow any of the above conditions, or to follow a direction of FMC staff, may result in immediate termination of the visit.

5. This Guideline applies until otherwise withdrawn or revoked.



Lorraine Walker
Chief Coroner

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