

# Guidance on Healthcare Pros' Role in Coroners Court

Reading time:

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The duty of signing a death certificate, one of medical practitioners last traditional roles is still a relevant topic yet rarely rates a mention in most medical school curriculum's today.



MIPS held a professional development event covering this topic. Phillip Byrne, an experienced Victorian Coroner headlined the event with Barrister Paul Halley and Solicitor Bronwyn Francis-Martin from the MIPS legal panel, joining the expert panel.

The event provided members with an exclusive perspective and practical insight into the functions of the Coroner's Court and healthcare practitioners' obligations concerning reportable deaths, assisting and responding to the court and preparing as a witness.

## The following points outline the key messages that the panel made:

- Always answer all questions put forward by the Coroner's court.
- Describe your own care including any concerns you may have (your first interactions with the Coroner including your statement are critical).
- If necessary, make concessions and advise of any changes to your practice – this is very important for systemic issues in hospitals.
- The doctor is a witness of fact and should not be an advocate.
- Miscommunication in healthcare teams is a big issue, all interested parties will be asked about their care. Different version of

events may require separate legal representation.

- Any witness needs to be prepared which may include legal advisers. Be certain what you say is correct. Provide a yes/no or brief answer only to the question asked. The Coroner wants to establish the facts. If you are not qualified to give an opinion (outside your specialty), state so. Face the coroner when answering questions, you are having the conversation with them and they assess you as a witness. Show insight into the issues.
- The Coroner may need to assess whether you are a safe practitioner. Do you have insight? Should you be reported to AHPRA?
- There is a high threshold to establish a cause of death, not merely speculation.
- See the entire Coroners' court process as an opportunity to improve the health and safety of your patients.

Check out our article [Death – the final complication!](#) for more information on completion on reportable deaths and Death Certificates

Members should always contact MIPS to seek assistance in relation to any Coroners court matter. Requests for education presentations can be directed to [info@mips.com.au](mailto:info@mips.com.au)

#### Resources

#### [Expert statements - Coroner's Court of Victoria](#)

The Coronial process - Coroner's Court of:

- [NSW](#)
  - [QLD](#)
  - [SA](#)
  - [VIC](#)
  - [WA](#)
  - [TAS](#)
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