



As you have been summoned to attend an inquest, please carefully read the following which contains important information and may answer many of your questions.

### Must I attend Court?

There are serious consequences for failing to attend Court, including the possibility of an arrest warrant being issued if you fail to attend when summonsed. However, in some circumstances the Court may be able to make alternative arrangements for you to give your evidence. For example, in the event that a witness will be interstate or overseas at the time of the inquest, the coroner may give them special permission to give their evidence via video-link. If you think you will have difficulty in attending the inquest you must contact the Court immediately.

### At which day and time am I required to attend Court?

Your summons will contain the inquest's commencement details and duration. However as the length of an inquest may vary from a few hours to a number of days (depending on the number of witnesses called to give evidence); you will usually not be required to be present for the whole inquest, in which case you should contact the Court as soon as possible upon receiving a summons to ascertain on which inquest day and at what time you have been nominated to attend court and give evidence. Please note that the day and time you have been allocated to give evidence may change if there are unexpected delays on the inquest day.

### How long will I be required in Court?

Unfortunately, the court's staff cannot indicate the length of time you will be required to be in Court as unexpected delays may occur in an inquest. Accordingly, please be wary when scheduling other commitments on that day.

### What do I bring to Court?

Please bring a copy of the summons, any documents or materials that have been requested of you, and any statements you have made.

### Do I need to wear formal attire?

While you are not required to wear formal attire to Court, there is a minimum expectation that your attire should be neat and tidy.

### What time should I arrive to Court?

Please arrive approximately 30 minutes prior to the scheduled commencement time.



### How do I know where to go?

You should carefully check the summons which will contain the details of the court location where the inquest will be held. You can also check the 'Court Hearing List' on the Coroners Court's website closer to the date for details of the inquest.

### Once I arrive at Court, what do I need to know?

Following your arrival at Court please refrain from talking about the facts of the case or the evidence you are to give whilst in the public areas of the Court building.

### What are the formalities I should know?

While you are not required to bow to the Coroner upon entering or leaving the courtroom, it is generally considered respectful to do so.

### Who do I see once I arrive at the courtroom?

Upon arriving at the courtroom, please make your presence known to the Coroner's Assistant (he or she is usually seated at the end of the bar/lawyers table closest to the witness box) or the investigating police officer who may have taken your statement. If you are uncertain who to approach, please check with the bench clerk who is usually seated adjacent to the Coroner.

If the Court is in session you can discreetly make your presence known, alternatively you may wish to wait until there is a break in the proceedings.

### What do I do when my name is called to give evidence?

When the Coroner's Assistant calls your name, please make your way to the witness box.

### Will I be sworn to give evidence?

Yes, when you step into the witness box, you will be asked whether you want to swear to tell the truth by taking an oath or by making an affirmation. You must choose one or the other. Either way you are swearing that your evidence will be the truth.

The oath is where you hold the Bible, Koran, or other Holy Book of your choosing and repeat the following phrase after the bench clerk: "I swear by Almighty God that the evidence I shall give, will be the truth, the whole truth and nothing but the truth". You do not need to memorise this phrase. The affirmation is where you say the following phrase after the bench clerk: "I solemnly and sincerely declare and affirm that the evidence I shall give, will be the truth, the whole truth and nothing but the truth". You do not need to memorise this phrase.



### What happens once I am sworn?

Your previously submitted statement may be read out aloud in Court by the bench clerk. Usually people giving evidence in a professional or expert capacity read out their own statements. Once the statement has been read out, you will be asked if there is anything further you would like to add or change in your statement. Thereafter, you will be asked to confirm that the content of your statement is true and correct.

### Who will ask me questions?

At an inquest you may be asked questions that expand on the detail contained in your statement by the Coroner's Assistant, interested parties (usually through their legal representative), and the Coroner.

### How should I address the Coroner?

Please refer to the coroner as 'Your Honour' if you need to speak to them directly.

### Am I required to answer questions?

A Coroner can compel you to answer questions even if your answers may be incriminatory. If you feel that you may incriminate yourself by answering a question you should raise this with the Coroner's Assistant or investigating police officer before giving evidence.

### Will I be reimbursed for my loss of income and/or expenses whilst attending Court?

You may be entitled to limited reimbursement for:

- a) net loss of income
- b) reasonable expenses for meals
- c) childcare costs where applicable
- d) the expense of travelling to and from the court equal to the cost of the most economical form of transport (i.e. if attending a metropolitan court, the most economical form of transport would be public transport)

Proof of expenditure is required to make a claim. You must retain the receipts for such expenses incurred as a result of being required to attend Court (e.g. meal receipt, train ticket).

If the travelling distance to attend Court would require you to have overnight accommodation (or would otherwise be considered excessive), you need to contact the Court as soon as possible after receiving the summons. In some circumstances the Court may instead arrange for you to give your evidence in an alternative way, such as via video-link, rather than attending in person. In the event that the Coroner requires you to attend in person, the Court will make the necessary accommodation arrangements on your behalf.



### How do I claim lost income and/or expenses?

If you are claiming expenses incurred as a result of being required to attend Court, a 'Claim' form will need to be completed immediately after you have given your evidence. This form is available on our website at [www.coronerscourt.vic.gov.au](http://www.coronerscourt.vic.gov.au) under the 'Forms' tab or can be obtained from the Court on the day of the hearing. In addition, you will need to submit all supporting documentation and proof of expenditure as discussed above.

### How and when will I be remunerated?

Once you have submitted your 'Claim' form, you will be remunerated for your lost income and/or expenses incurred by either electronic transfer or cheque. If you request an electronic transfer please bring details of your BSB and account number. Please note it may take up to 6 weeks before you receive this reimbursement.

### Where can I get further information?

Further information is available by visiting the courts website at [www.coronerscourt.vic.gov.au](http://www.coronerscourt.vic.gov.au) or by contacting the Court on 1300 309 519.