



Coroners Court of Victoria

Practice Direction 3 of 2011

Access to Documents provided to parties other than the senior next of kin pursuant to Section 115 of the *Coroners Act 2008*

Background

1. Following the introduction of the *Coroners Act 2008* ("the Act") on November 1, 2009, the regime for access to documents for parties other than senior next of kin has changed.
2. Pursuant to Section 115(1)(b) of the Act, unless the coroner otherwise orders, the Principal Registrar must provide an interested party with a copy of the inquest brief. A coroner may release document(s) to parties other than senior next of kin pursuant to section 115(2) of the Act.
3. This practice direction is to ensure that the further dissemination of the document(s) provided to parties other than senior next of kin is contained unless the coroner otherwise orders.

To enable the above to take effect, the following direction is made:

- (a) Practice Direction No 6 of 2009 is rescinded.
- (b) This Practice Direction is made pursuant to section 107 of the *Coroners Act 2008*.
- (c) Unless otherwise ordered by the investigating coroner document(s) provided to parties other than the senior next of kin during an open investigation, pursuant to Section 115 shall be accompanied by a copy of an authority in the form of Attachment A.



Judge Coate
State Coroner
30 September 2011



Coroners Court of Victoria

Attachment A

Authority of Coroner for access to document(s) for open investigation under Section 115 of
the Coroners Act 2008:

Deceased:

Court Ref: /

The investigating coroner has authorised the release of the following documents:

- 1.
- 2.
- 3.
- 4.

The enclosed document(s) has been provided to you following your application and pursuant to the direction of the investigating coroner. The enclosed document(s) form part of an open coronial investigation.

As such, the investigating coroner has directed, as a condition of the provision of the document(s) that you are not permitted to provide copies of or publish in any form whatsoever the document(s) to any other person or persons or entity without further authority from the investigating coroner.

The following further conditions are imposed (*delete if not applicable*):

- 1.
- 2.
- 3.
- 4.

NOTE:

Failure to comply with the above condition is subject to:

- i) 60 penalty units under section 115(3) and (4) of the *Coroners Act 2008*; and/or
- ii) Contempt under section 103 of the *Coroners Act 2008*