



Coroners Court of Victoria

Practice Direction 8 of 2011

Opening inquests into "police contact" deaths

Background

This practice direction is issued in circumstances where a death occurs as a result of "police contact" mandating the holding of an inquest. In order to fulfil their statutory obligations under the *Coroners Act 2008* ("the Act"), coroners need to have regard, amongst other factors, to the objectives under sections 8 and 9 of the Act when investigating such a death.

Application

Given the role that members of Victoria Police perform as investigators for the coroner in reportable deaths, where the death has, prima facie, potentially occurred:

- (a) as a result of police actions;
- (b) in police presence;
- (c) either in or potentially connected to police care, custody or control; and
- (d) in the course of police attempting to take the deceased person into custody or from injuries which may have been sustained whilst police were attempting to take the deceased into custody

unless the investigating coroner otherwise orders, a Directions Hearing will be held within 14 days of the death being reported to the coroner. The purpose of the Directions Hearing is to:

- i) confirm the investigating member for the coroner;
- ii) fix the date for the delivery of the inquest brief to the coroner; and
- iii) any other directions considered appropriate at that time touching upon the investigation.

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

- (a) The Practice Direction takes effect on 10 October 2011
- (b) This Practice Direction is made pursuant to section 107 of the *Coroners Act 2008*.


Judge Jennifer Coate
State Coroner
30 September 2011