Figure: Types of Coroners Court Hearings

Mention/Directions Hearing

Inquest

Summary Inquest

Full Inquest

Submissions Hearing

Finding Hearing

A **Mention** or **Directions Hearing** is normally held *prior* to an inquest. They can also be held in matters which do not ultimately proceed to inquest. The purpose of this hearing is for the coroner to case manage the investigation and discuss issues specific to the investigation with interested parties. The coroner may also make orders to manage the progress and direction of their investigation. A hearing of this nature is most commonly (but not limited to) the coroner hearing submissions as to:

- · Whether a coronial investigation should or should not proceed to inquest; or
- Where a matter is to proceed to inquest, the witnesses to be called to give evidence at inquest and the inquest scope (that is, the relevant issues to be explored at the inquest).

An inquest is a public hearing into a death or fire to hear evidence from witnesses on issues that the coroner has determined to be the relevant issues (scope). Approximately 1% of investigations proceed to inquest. These inquests are usually matters where:

- an inquest is mandatory under the Coroners Act 2008,
- the circumstances surrounding the death or fire are unclear, or
- there are broader issues of public health and safety that need to be examined.
 In a full inquest witnesses are called to give evidence and are asked questions

In a full inquest witnesses are called to give evidence and are asked questions (examined) by Counsel Assisting and the interested parties.

In a summary inquest witnesses are generally not called to give evidence and Counsel Assisting will normally read out a summary of the evidence available to the coroner with respect to the identity of the deceased, cause of death and circumstances of death.

A **submissions hearing** is held *after* an inquest has closed and all evidence has been heard. The purpose of this hearing is to provide all interested parties an opportunity to make submissions about:

- the evidence before the coroner,
- · what findings are or are not available to the coroner,
- · whether any adverse findings or comments should be made, and
- whether the coroner should make any recommendations.

Procedural fairness applies to coronial investigations. This means that interested parties are given the opportunity to respond to any adverse finding which a coroner is minded to make *prior* to a matter being finalised and a finding being handed down. A submissions hearing is *not* mandatory and the coroner may instead receive written submissions only from interested parties on the above matters.

A finding hearing is held after both an inquest and a submissions hearing and is solely for the purpose of the coroner handing down their finding in the matter. At the hearing a coroner may read the entire finding, or specific excerpts of the finding. Interested parties are usually provided with a copy of the finding electronically after the conclusion of the finding hearing.

A finding hearing is *not* mandatory and the coroner may instead hand down the finding by providing all interested parties with a copy electronically. A finding *after* an inquest, is published on the Coroners Court website and publicly available unless ordered by the coroner.