



MAGISTRATES COURT *of* TASMANIA

CORONIAL DIVISION

May 2024

WHICH ORGANISATION IS MOST APPROPRIATE FOR YOUR CONCERNS

A coroner has jurisdiction to investigate a death if it appears to the coroner that the death is, or may be, a reportable death (s 21(1)) *Coroners Act 1995*. The Chief Magistrate or their delegate ensures that all reportable deaths are investigated. The aims of any coronial investigation into a death are to find the following (s 28(1)(a-e)):

- a. the identity of the deceased; and
- b. how death occurred; and
- c. the cause of death; and
- d. when and where death occurred; and
- e. the particulars needed to register the death under the [Births, Deaths and Marriages Registration Act 1999](#).

In the case of a fire or explosion, the aims of the investigation are to determine the cause and origin of the fire or explosion, and the identity of any person who contributed to the fire or explosion (s 45(1)) of the Act.

The scope of the coronial investigation is limited to the facts, matters and issues that are sufficiently proximate to and connected with the death. This generally includes: • the immediate circumstances in which the death was discovered. • the events immediately leading up to the death and the actions of any individuals involved in those events. • any relevant aspect of the deceased's circumstances, situation, or history. • the role of any emergency services that were involved in the incident. The scope does not extend to facts or circumstances that did not cause or contribute to the death.

Some common concerns can include:

My loved one was prescribed or administered the wrong medication / the wrong dose of medication.

Administration of medication will fall within the coronial scope if the medication caused or contributed to the death. If the administration of medication did not contribute to the death, but you are concerned about the medication prescribed to your loved one, you should talk with the doctor or health service directly. If you are uncomfortable doing this, or if you are not satisfied with their response, you can contact the Health Complaints Commissioner or the Australian Health Practitioner Regulation Agency (AHPRA).

I did not like the way the medical staff spoke to me.

While the medical treatment provided by a doctor may be the subject of a coronial investigation, their manner does not fall within the coronial scope. If you are concerned about a doctor's behaviour, you should talk about your concern with the doctor or health service directly. If you are uncomfortable doing this, or if you are not satisfied with their response, you can contact the Health Complaints Commissioner.

The medical staff did not listen to my concerns.

This will generally not fall within the coronial scope unless it contributed to the death of your loved one. If you are not satisfied with the response provided by the doctor or health service to your concerns, you can contact the Health Complaints Commissioner.

The carers did not provide a high level of care to my loved one.

If the care provided caused or contributed to the death of your loved one, it will be considered within the scope of the coronial investigation. In cases where the care provided did not contribute to the death of your loved one, you should discuss your concerns with the health service provider, residential aged care facility or disability service directly. If you are not satisfied with their response, you can lodge a complaint with the Health Complaints Commissioner, Aged Care Quality and Safety Commissioner or the Disability Services Commissioner.

If your concerns fit within the coronial scope, please complete the Request for Consideration of Concerns [Form](#) and email to Coroners Hobart (DPEM) Coroners.Hobart@police.tas.gov.au. Please feel free to contact the Coroner's Court if you want to discuss whether your particular concerns fit within the coronial scope.

If your concerns do not fit within the coronial scope, then it may be that another organisation is better placed to respond to your concerns. Depending on the concerns you have, you may consider contacting the following organisations.

<p>AGED CARE</p> <p>Aged Care Quality and Safety Commission</p> <p>Ph. 1800 951 822</p> <p>Homepage Aged Care Quality and Safety Commission</p>	<p>HEALTH AND MEDICAL</p> <p>Australian Health Practitioner Regulation Agency</p> <p>(AHPRA)</p> <p>Ph. 1300 419 495</p> <p>https://www.ahpra.gov.au</p>
<p>OMBUDSMAN TASMANIA</p> <p>Ph. 1800 001 170</p> <p>Ombudsman Tasmania</p>	<p>ADVOCACY TASMANIA</p> <p>(Mental Health Services complaints)</p> <p>Ph. 1800 005 131 or advocacy@advocacytasmania.org.au</p> <p>Statewide Mental Health Service</p>
<p>HEALTH COMPLAINTS COMMISSIONER</p> <p>Ph. 1800 001 170 or health.complaints@ombudsman.tas.gov.au</p> <p>Statewide Mental Health Service</p>	<p>Should you direct your concerns to APRHA or HCC?</p> <p>https://www.ahpra.gov.au/Notifications/Concerned-about-a-health-practitioner.asp</p>