

**Coronial Inquest
Witness Acknowledgement Sheet**

SSO's Role:

- I am a lawyer employed within the State Solicitor's Office.
- The State Solicitor's Office represents and acts for the interests of _____ (spotlighted agency) _____ in the inquest into the death of _____ (deceased) _____.
- The State Solicitor's Office also assists _____ (spotlighted agency) _____ to discharge its responsibilities to the Coroner's Court.
- The State Solicitor's Office acts on instructions from our client _____ (spotlighted agency) _____.

Role of the Coroner's Court:

- Coroners investigate deaths and must find, if possible, the identity of the deceased; the manner in which death occurred; the cause of death and the particulars needed to register the death.
- A coroner may comment on any matter connected with the death including public health or safety or the administration of justice. Where the death is of a person held in care (in broad terms, a person in the custody of a police officer or certain other State officers or agencies), a coroner must comment on the quality of the supervision, treatment and care of the person while in that care.
- A coroner must not frame a finding or comment in such a way as to appear to determine any question of civil liability or to suggest that any person is guilty of any offence.
- A coroner may make an adverse finding against an agency or a person, but that is not a finding of civil liability or criminal guilt.

Your role as a Witness:

- The Coroner's Court has identified you as a witness who can give relevant evidence in the inquest into the death of the _____ (deceased) _____. / You have been identified as a witness that may be able to provide evidence relevant to the inquest into the death of the _____ (deceased) _____. *(delete the inapplicable statement)*
- As part of SSO's representation of _____ (spotlighted agency) _____, I would like to speak to you to ask you questions about matters which I consider to be relevant to the inquest.
- Speaking to me would involve two distinct parts:
 - First, me explaining, in general terms, the process of a Coronial Inquest (for example, what the court looks like, who the Coroner is, how proceedings are conducted).
 - Secondly, me asking you about your knowledge in relation to matters I consider to be relevant to the inquest into the death of the _____ (deceased) _____.
- I may use the information you provide me to draft and supply you with a draft witness statement. The draft will reflect what I understand to be your evidence.
- Preparation of written witness statements is generally considered useful as it facilitates the efficient conduct of an inquest.
- However, you are not required to sign any witness statement. You will be given an opportunity to review any witness statement before being asked whether you wish to sign the statement. It is very important that you do not sign a witness statement unless you are satisfied that its contents are true and do not contain any false or misleading statements.
- I may be instructed to supply your signed witness statement to the Coroner and/or to other persons involved in the inquest, such as a lawyer acting for another person involved in the inquest.

My role in relation to you:

- Please note that the State Solicitor's Office does not represent you personally – I cannot provide you with legal advice or representation or take instructions from you. SSO will give legal advice to, and take instructions from _____ (spotlighted agency) _____.
- However, I can provide support to you in your role as a witness. I can provide general advice to you regarding your preparation for and the giving of evidence. This includes giving general advice to you about court procedure and the general manner of answering questions. I cannot advise you how to answer particular questions, however, I can draw your attention to matters that are relevant to the inquest and matters that you may be questioned about at the inquest.
- If you have any concerns about speaking to me, answering a particular question or your involvement in the inquest, then please let me know. If I can address your concern consistent with my duty to my client, _____ (spotlighted agency) _____, then I will do so. I may also invite you to raise them instead with (designated agency person) at _____ (spotlighted agency) _____.

I _____ (witness name) _____ acknowledge that the above matters have been explained to me by _____ (SSO Lawyer) _____ on _____ (date) _____.

_____ (SSO Lawyer signature)

_____ (Witness signature)