Interpreting the Coroners Act at the bedside: how do junior doctors know they are doing it correctly?

TO THE EDITOR: Interpreting coronial legislation can prove challenging for junior doctors at the bedside, with significant local variation in interpretation. The Victorian Coroners Act (Coroners Act 2008 [Vic]) has recently undergone changes that have coincided with a decline in numbers of reported cases, with the Coroners Court raising the question of whether there was “unintentional under-reporting of reportable deaths”. What constitutes a reportable death under that Act is summarised in the Box.

Austin Health has a well established medicolegal support for junior doctors (formal education sessions, internal website and medical administration advice available 24
A death is considered reportable if:
- the body is in Victoria; or
- the death occurred in Victoria; or
- the cause of the death occurred in Victoria; or
- the person ordinarily resided in Victoria at the time of death;

And:
- the death appears to have been unexpected, unnatural or violent or to have resulted, directly or indirectly, from an accident or injury; or
- the death occurred during a medical procedure; or following a medical procedure where the death is or may be causally related to the medical procedure and a registered medical practitioner would not, immediately before the procedure was undertaken, have reasonably expected the death to occur; or
- the death is of a person who immediately before the death was a person placed in “custody or care”; or
- the death is of a person who immediately before death was a patient under the Mental Health Act 1986 (Vic); or
- the death is of a person under the control, care or custody of the Secretary to the Department of Justice or a member of the police force; or
- the death occurs in Victoria and a medical practitioner has not signed and is not likely to sign a death certificate certifying the cause of death; or
- the death occurs outside Victoria and the cause of death is not certified by a person authorised to certify that death and the cause of death is not likely to be certified; or
- the death is of a prescribed class of persons that occurs in prescribed circumstances.

There will be minor differences in reportable deaths between states.