

Avant factsheet:

How to write a coronial statement

Quick guide

- Ensure you are aware of the reason for a request for a statement and your obligations
- Outline the care you provided but avoid comment on the care provided by others

Requests for a statement

You may become involved in the coronial process if you provided medical care to the deceased. You may be approached by the police or coroner's staff to provide verbal information or with a request for a formal legal statement. You do not need to obtain consent from the deceased's family or the executor or administrator of their estate to provide the statement. The coroner or police's written request is sufficient authority, and overrides doctor-patient confidentiality and your obligation to protect the patient's privacy.

There are other occasions where the police may ask you for information or a statement about an issue that relates to a criminal investigation. You need to be very clear about the reason behind the request and whether it is a coronial request or another police matter.

In either situation we recommend that you do not provide a signed statement or have a detailed conversation with the police without first contacting Avant for advice.

Coronial statements

Before you write your statement

- The information you write should be verifiable in the patient medical records (obtain a copy of the records before you write the statement).
- Only write information in the statement you are prepared to confirm at an inquest or any other subsequent court proceeding.

In your statement:

- Begin with your full name, practice or hospital address and formal qualifications. Give your speciality and years of experience. Outline the capacity in which you were working when involved in this case (e.g. registrar, intern etc).
- State the purpose of the statement, who has asked you to prepare it and the name of the patient it relates to.

- Provide a factual summary with dates and times in chronological order.
- Be specific about your role in the patient's care and events that took place. Include the patient history, examination, your impression, and differential diagnosis (diagnoses) and treatment plan as appropriate.
- Use first person and active voice, 'I saw the patient on...' rather than 'the patient was seen on...' 'I did an abdominal examination...' Rather than 'an abdominal examination was attended to'.
- If your recollection of events is not consistent with what is documented in the medical records you should note this in your statement. You should be clear what is taken from the medical records and what is from your memory of events.
- You should not give an opinion on the way the case was managed or what could have been done differently. Provide factual information only.
- Avoid statements like 'I thought...'
- Avoid referring to the deceased as "the patient" or "the deceased" it is better to use their name.
- It is generally advisable to stick to describing your management, rather than expanding and justifying it.
- Do not speculate or comment on areas outside of your expertise.
- Avoid commenting on the care delivered by other practitioners.
- Explain any medical terminology you need to use as the statement may be read by non-medically trained parties such as lawyers or family members.
- Ensure you answer specific questions contained in the request if you can.
- Acknowledge the date, time and location of the patient's death.
- Where possible, avoid discussing any events that occurred after the patient's death.
- We recommend you close the statement with a sentence similar to the following: I would like to convey my deepest condolences to the family of X.

If the treatment provided was in your capacity as a public hospital employee you may also need to submit the statement to medical administration.

Once you have drafted a statement you can send it to Avant for comment and advice.

You should sign and date the statement, but it does not need to be witnessed.

Keep a copy of the statement for your own personal records (it does not form part of your medical records).

Further information:

Avant video: Preparing a statement for the coroner (avant.org.au/Resources/Public/20150313-preparing-a-statement-for-the-coroner)

Factsheet: Coronial investigations and inquests (avant.org.au/Resources/Public/Coronial-investigations-and-inquests)

Statement template

Dear Sir/Madam

This statement is prepared for the (state) Coroner at the request of (full title of requesting police member) of **(Police department or local command area)**.

I, Dr (name) am a (consultant, registrar etc) at (name of hospital or practice). I have held this position since (date) My medical qualifications are (list) and experience (list)

The following account of (patient's name) medical care outlines my involvement and is taken from the medical records supporting my own recollection.

On (date and time) (patient name) presented with (symptoms)

[outline your involvement in chronological order]

(patient name) died at (time) on (date) at (location)

I would like to convey my deepest condolences to the family of (patient name).

Your sincerely

(your name typed)
(your designation)

This publication is not comprehensive and does not constitute legal or medical advice. You should seek legal or other professional advice before relying on any content, and practise proper clinical decision making with regard to the individual circumstances. Persons implementing any recommendations contained in this publication must exercise their own independent skill or judgement or seek appropriate professional advice relevant to their own particular practice. Compliance with any recommendations will not in any way guarantee discharge of the duty of care owed to patients and others coming into contact with the health professional or practice. Avant is not responsible to you or anyone else for any loss suffered in connection with the use of this information. Information is only current at the date initially published. © Avant Mutual Group Limited 2021 [July 2021] fact-139 07/21 (DI-2026)

For more information or immediate **medico-legal advice**, call us on **1800 128 268**, 24/7 in emergencies.