



# My loved one's body and things

This fact sheet explains what happens to the body of your loved one when a medical examination is required, what you can do if you object to a medical procedure happening, and when and who can get the body when the coroner is ready to release it.

## Autopsy

- An autopsy is a type of medical procedure performed by a pathologist. It might also be referred to as a "post-mortem".
- An autopsy includes external and internal examinations using techniques like those used in surgical operations. The chest, abdomen and skull are examined, and some organs are examined. This may involve removing the organs.
- In some instances, a more detailed examination of an organ, like the brain or heart, might be necessary to establish the cause of death. If the pathologist thinks this needs to happen, they will seek consent from the coroner to remove the organs and keep them for several weeks.

## What can I do if I object to the autopsy?

- If the coroner believes an autopsy is needed to confirm the cause of death, the coroner will contact the senior next of kin. The senior next of kin has the right to object to an autopsy being performed. It is important to notify the coroner's office immediately if you want to object (for more information, see Fact Sheet 5: Next of Kin and the Coroner's Court).
- The coroner will take your concerns into account but may still decide that an autopsy is required.

- If the coroner decides the autopsy should still occur, the autopsy will be postponed for 48 hours so that you can apply to the Supreme Court for an order preventing the autopsy. This application needs to be made within 48 hours of being notified by the coroner that your objection was refused.

## What is exhumation?

- If the body has already been buried and an autopsy is needed, the body may need to be removed from the ground or burial site. This is called exhumation.
- The coroner will need to authorise the exhumation. A reason the coroner may authorise exhumation is where it is believed an autopsy will provide new evidence. If the Coroner authorises exhumation, they will give at least 48 hours' notice to the senior next of kin.
- The senior next of kin can object to the exhumation by notifying in writing to the coroner of the objection. The coroner may still authorise the exhumation, and if so it will be delayed for 48 hours to allow you time to apply to the Supreme Court for an order preventing the exhumation.

## When can I get the body?

- The coroner will authorise the release of the body when it is no longer needed for the purposes of the investigation.
- The representative named in the deceased's will, will need to decide on a funeral service to release the body and sign for the release of the body. If there is no representative named, then an interested relative or friend can apply for the release of the deceased's body.
- The family will then need to work with a funeral director to arrange the funeral.



### What about a death certificate?

- Where a death is still being investigated by the coroner, the Registrar of Births, Deaths, and Marriages can issue a death certificate, containing a notation in the "Cause of Death" section saying "Incomplete registration - Cause of death subject to coronial enquiry".
- Once the coronial investigation is complete, the Registrar of Births, Deaths and Marriages can issue a final death certificate with a cause of death.

### More help

For more information about what to do following the death of a loved one visit:

- <https://ntlawhandbook.org/foswiki/NTLawHbk/WhenSomeoneDies>



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