

When someone dies in a motor vehicle accident



Information for families

The State Insurance Regulatory Authority has produced this information to help if someone close to you has died as a result of a motor vehicle accident.

This information covers:

- the role of NSW police
- the Coroner and forensic system
- making funeral arrangements.
- Families in similar situations have told us that this type of practical information would have helped them cope with unfamiliar procedures and making decisions at this very difficult time.

Role of NSW police

The police will have to investigate the circumstances of the death. The length of the investigation will vary depending on the circumstances.

The police will usually require someone to formally identify the person who has died. This can be a very difficult and emotional time. It helps to have a support person with you to help you at the time and to be there for you afterwards.

The police may have to come back and see you several times to ask questions. This is all a necessary part of the investigation.

Police can also help you to contact support services.

NSW Police Crash Investigation Unit

Officers from the NSW Police Force Crash Investigation Unit (CIU) may be responsible for the investigation.

Their role is to work out the cause of the motor vehicle accident.

They will keep your family informed of the investigation's progress and outcome.

If the matter proceeds to the criminal or coronial courts, the investigating officer will keep your family advised of the court's progress.

Property

Property taken from a person who has died is recorded by the police. Your family will be contacted by the police and asked to collect these items.

If an item has been taken as an exhibit, it cannot be released until after the investigation or court proceedings have been finalised.

If you have any questions

If you have any questions relating to the investigation, it is best to contact the police officer conducting the investigation.

Coroner and forensic system

In NSW, all sudden and unexpected deaths, such as from a motor vehicle accident, are reported to the Coroner. This is a legal requirement.

The role of the Coroner is to investigate the circumstances and medical cause of the death. The Coroner is assisted by the NSW Police Force and by forensic pathologists who are employed by the Department of Forensic Medicine. A forensic pathologist is a specialist doctor.

To establish the medical cause of death, the Coroner will order a post mortem examination. This examination is often called an autopsy and is conducted by a forensic pathologist.

From their investigations, the Coroner certifies the medical cause of death and issues the final post mortem report.

To get a copy of the report you will need to write to the Coroner's Court and ask for one to be sent to you.

Forensic counsellors

Social Workers are employed as forensic counsellors by the Department of Forensic Medicine. They assist families of people whose death is being investigated by the Coroner.

These counsellors are experienced specialists in bereavement and trauma counselling.

They can provide support to you during the formal police identification process and also during the viewing of the person who has died.

They also provide information about the coronial and forensic processes. This can include information about the post mortem process, the medical cause of death and the final post mortem report. Forensic counsellors can also make referrals for you to appropriate support agencies if you wish.

In areas of NSW where there is not a forensic counsellor, this role may be carried out by a hospital social worker.

Making funeral arrangements

The funeral director has an important role in helping you with the formalities at this difficult time. They are there to discuss your wishes and assist in planning a funeral that meets your needs.

With your instructions, the funeral director can help arrange all the practical issues such as the transfer of the person who has died, the time and place of the funeral, the type of ceremony and someone to conduct the ceremony if you require assistance with this.

If the person who has died is to be transported to other areas of Australia or overseas, the funeral director will help you make these arrangements.

Decisions

There are several important decisions to make including whether you would like a burial or cremation, if the service will be private or open and where it will be held.

There is a perception that funerals need to be undertaken quickly after the person's death. However, when to hold the funeral is a decision you and your family can make in consultation with the funeral director. The timing of a funeral can be arranged to fulfill almost any personal, religious or cultural requirement. A funeral can be as simple as necessary to comply with the required laws or quite elaborate.

Funerals may take many different forms in all cultures. There are very few restrictions, other than some legal ones. Family and friends may choose to be involved in dressing the person who has died, placing them in the coffin, closing the coffin, carrying the coffin and lowering it into the ground.

Some people may choose to have a viewing, say prayers, sing and stay with the person who has died. Some cultures may have special rituals of food, incense and music which signify the rite of passage from this life.

Some aspects of the funeral you may wish to consider include whether you would like to:

- see your loved one and spend further time with them
- have them dressed in their own clothes or put anything of particular significance in the coffin
- have a lock of their hair
- have photos taken or audiotape/videotape the funeral

Funeral costs

At your first meeting with the funeral director you should be given a written quote showing the costs of each service. They will usually then take care of the accounts after you have approved the costs and give you one account covering all the expenses.

It is important that the funeral director ask for your approval for any additional charges or services above that provided in the initial written quote. Some funeral directors' may request an up-front deposit before arrangements begin.

A funeral outside normal working hours will usually cost more.

Before finalising the details of the funeral, you may like to consider contacting several funeral directors to discuss the types of service you want and obtain quotations. The following table may help you obtain and compare costs.

Funeral directors' services and fees

The following summary sheet may help to record and work out different funeral directors' services and fees.

Service	Funeral director 1	Funeral director 2	Funeral director 3
Name of company			
• Address			
• Phone number			
Person spoken to			
Funeral directors' professional fee			
Transfer fee			
Cremation			
Burial plot			
Coffin			
Death Certificate			
Viewing or dressing			
Medical papers			
Floral tributes			
Press notices			
Religious guide or celebrant			
Total			

Further information and support

You may need more information than we have provided. A number of other sources provide support and information. You may already be in contact with a social worker, other health professional or support group. They can provide individual support and guidance if required.

We are all individuals and respond in our own unique way to the death of a loved one. There are no right or wrong feelings, no timetable for grief and no right or wrong way to cope. It is important to take care of yourself, and allow others to support you.

Disclaimer

This publication may contain information that relates to the regulation of workers compensation insurance, motor accident third party (CTP) insurance and home building compensation in NSW. It may include details of some of your obligations under the various schemes that the State Insurance Regulatory Authority (SIRA) administers. However to ensure you comply with your legal obligations you must refer to the appropriate legislation as currently in force. Up to date legislation can be found at the NSW Legislation website www.legislation.nsw.gov.au.

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