

Frequently Asked Questions: NWT Coroner Service

NOTE: This document will help you to understand the NWT Coroner Service, but it is not intended to replace the *Coroners Act*. If you wish to see the legislation, please refer to the [Coroners Act](#) and the [Coroners Form Regulations](#) and the [Coroners Remuneration, Expenses and Fees Regulations](#).

1. Who is a coroner?

NWT Coroners are members of the community appointed to inquire into sudden and unexpected deaths. The Minister of Justice appoints a coroner for a three-year period. The Coroner Service has approximately 30 coroners throughout the NWT. They are supervised by the Deputy Chief Coroner and the Chief Coroner.

2. What is a coroner's job?

A coroner conducts an investigation into all sudden and unexpected deaths, as mandated in the [Coroners Act](#).

3. What is a coroner death investigation?

It is also known as a coroner case. The investigation is directed by the coroner to determine how and why a person has died. The coroner is responsible for determining the facts surrounding a death, the identity of the deceased, and how, when, and where the person came to their death. A coroner's investigation is a fact-finding investigation, and it does not assign fault or blame.

The Coroner Service has many investigative partners who work collaboratively on diverse cases, including the RCMP, health care professionals, social services, Workers Safety and Compensation Commission, Transportation Safety Board of Canada, Office of the Fire Marshal and others.

The coroner also determines the manner of death, and classifies the death into one of five categories: natural, accidental, homicide, suicide or undetermined.

4. How is the RCMP involved in a death investigation?

The Coroner Service is assisted by the RCMP in coroner cases. In cases where the death is considered suspicious or foul play is suspected or apparent, the RCMP will direct a criminal investigation.

5. What is a post-mortem or autopsy?

The coroner may order an autopsy to determine the cause of death, identify the remains, document injuries, and/or to assist in determining the manner of death.

The autopsy is an internal examination of the human remains. It may also include toxicology examinations, which could include an examination for drugs, chemicals, poisons, or infections within the remains. The coroner directs a pathologist to perform the autopsy, which takes place in Edmonton. The Coroner Service also has the assistance of experts in areas of anthropology, entomology and forensic dentistry.

6. Does the family need to consent for an autopsy?

The coroner will decide if an autopsy is required to determine the cause and manner of death. The coroner will discuss the circumstances and need for the autopsy with the family and will consider their wishes, but ultimately the coroner's decision in respect of an autopsy is final.

7. After the autopsy, what happens?

Once the autopsy procedure is completed in Edmonton, the remains are released to Foster McGarvey Funeral Home. They prepare the remains and arrangements are made for transportation back to the NWT community where the death occurred. This funeral home has a contract to provide this service to the NWT Coroner Service.

The coroner will notify the next of kin about any preliminary findings from the autopsy. A final Autopsy Report will be completed by the pathologist once they have completed all the essential examinations, including tests and assessments.

8. What happens after a death investigation?

The coroner will issue a Report and Certificate of Coroner at the end of the investigation, summarizing the investigative findings. The coroner can also make recommendations to improve public safety and prevent future deaths in similar circumstances. The next of kin, family members, or legal representatives of the estate must make a [written request](#) if they wish to receive a copy of the Report and Certificate of Coroner or the Autopsy Report. The written request must include the full name of the deceased, date of birth, date of death, and their relationship to the deceased. Requests can be submitted using this [form](#).

9. What is an inquest? When do they happen?

An inquest is a formal proceeding that allows for the public presentation of all evidence relating to a death. An inquest may be held to inform the public of circumstances of the death where it will serve a public purpose, such as bringing dangerous practices or conditions to the knowledge of the public. At the end of an inquest, the jury often makes recommendations that may prevent deaths in similar circumstances.

There are two types of inquests: mandatory (required by law) and discretionary (meaning a coroner can decide if it is necessary to hold an inquest).

Effective March 18, 2016, inquests into deaths that occur in custody (e.g. in a correctional centre or RCMP cells) where the death was not preventable, are no longer mandatory. However, a coroner still has the ability to call for an inquest if he or she believes it is necessary for any of the reasons described above.

10. What legal authority does the coroner have when investigating a death?

As of March 18, 2016, coroners have the legal ability to enter and inspect any place where the deceased had been or where the coroner believes the deceased had been prior to death, including a home. Coroners also have the authority to seize anything relevant to the investigation, such as the belongings of the deceased or any other items that may have contributed to the death of the individual.

Effective January 29, 2017, coroners have the authority to examine and copy information contained in records relating to the deceased person or to the circumstances of the death. For example, the coroner may search the health records of the deceased for information that may explain the cause of death.

11. Can a coroner disclose the personal information of a deceased person?

A coroner can provide information pertaining to the deceased person to the next of kin (e.g. spouse, parents, children, brother/sister, etc.) or the personal representative of the deceased person. Personal information can include details such as date of birth, sex, place of death and cause of death.

Effective March 8, 2016, the Chief Coroner also has the authority to release public reports that contain personal information. Public reports are issued in order to bring information to the public's attention, such as dangerous incidents or recommendations to prevent deaths. When determining whether to disclose personal information, the Chief Coroner must consider whether the disclosure is necessary in order to support any findings and recommendations, and whether the public interest in the information outweighs the personal privacy of the deceased. A major objective of the Coroner Service is to assist in improving public safety and preventing deaths. At times, this may require releasing personal information so that the public is fully aware of risks and dangerous practices are uncovered.

12. What is a reportable death? What is my responsibility?

If you are at or come upon the scene of a death, the *Coroners Act* requires that you do not interfere with the body, such as moving it, or interfere with any wreckage (if applicable). The only exceptions to this rule are for a police officer performing his or her duties, or if the interference is necessary in order to prevent death, relieve human suffering or preserve the remains of the deceased.

Section 8 of the [Coroners Act](#) explains the circumstances that require the reporting of a death. While deaths are generally reported to the coroner by health care workers or the RCMP – anyone, including a family member – should immediately contact the police and a coroner when a reportable death occurs.

As of January 29, 2017, stillbirths that are attended by a registered nurse, registered midwife, or nurse practitioner, no longer need to be reported to a coroner. Also effective this date, the death of any child where the Director of Child and Family Services has the rights and responsibilities of a parent must be reported. As stated in the *Child and Family Services Act*, children are entitled to protection from abuse, harm and neglect. The Government of the Northwest Territories must ensure accountability for the care of children under its responsibility, and reporting to a coroner will allow for an investigation into the circumstances of death and facilitate recommendations to prevent similar deaths in the future.

13. Are there consequences for not cooperating with a coroner's investigation?

Effective March 18, 2016, the maximum fine for contravening the Act or the regulations (i.e. not cooperating with a coroner's investigation) increased from \$500 to \$5,000 (see section 62 of the [Coroners Act](#)).