

8 September 2023

Section 9(2)(a)

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Our ref: 106597

Tēnā koe

Request for information regarding post mortems

Thank you for your request of 4 August 2023 to the Ministry of Justice (the Ministry), seeking the number of post-mortems performed, categorised by their type and the ethnicity of the deceased. We are responding to your request under the Official Information Act 1982.

On 28 August 2023, we advised you that we had extended the time limit to make a decision on your request to 8 September 2023. The extension was required so that we could consult with the Office of the Chief Coroner. Following this consultation, I am now pleased to provide you with a decision on your request.

Response

In response to your request, please find Table 1 enclosed which provides you with the number of post-mortem directions, broken down by financial year, direction type and ethnicity of the deceased. These numbers relate to coronial cases reported to the coroner between 1 July 2007 and 30 June 2023. Please note that the Coronial Case Management System (CMS) does not hold information on coronial cases prior to 1 July 2007.

The information in Table 1 contains both active and closed coronial cases. An active case is one where the death is still being investigated by the coroner. A closed case is one in which the coroner has made determinations, and a certificate of findings has been issued.

Additional information about post-mortems

It may be helpful for me to provide you with further context for the information in Table 1.

Deaths that are without known cause, medically unexpected, sudden, suspicious or violent, or that occur while in official custody or care are reported to the coroner, as outlined in sections 13 and 14 of the Coroners Act 2006 (the Act). A coroner may direct a pathologist to perform a post-mortem of a body in accordance with section 31 of the Act. Decisions about post-mortems are made in accordance with sections 31 to 41 of the Act.

It is important that I advise that there is no right of immediate family to choose for a post-mortem not to occur. Section 33 of the Act outlines the right in some cases for immediate family members to object to a post-mortem being performed on the deceased. A coroner will take that objection into account, along with all other relevant considerations in determining whether to direct a post-mortem examination.

A coroner may direct a pathologist to perform a preliminary inspection of the body under section 21A of the Act. A preliminary inspection consists of either or both of the following:

- (a) An external visual examination

(b) The use of medical imaging

Post-mortem directions are categorised in CMS under the following 9 direction types:

- External Only
- Immediate Full - Coronial
- Immediate Full - Forensic
- Immediate Lesser - Coronial
- Immediate Lesser - Forensic
- Standard Full - Coronial
- Standard Full - Forensic
- Standard Lesser - Coronial
- Standard Lesser – Forensic

An explanation of the terms referred to in the post-mortem direction types is provided below:

- Immediate: A post-mortem as directed by the coroner under section 37 of the Act, which requires a pathologist to perform a post-mortem immediately.
- Standard: A post-mortem which has not been directed by the coroner to be performed immediately.
- Full: A post-mortem that includes a full internal and external examination.
- Lesser: A post-mortem as directed by the coroner under section 31 of the Act, which requires any examination less than a full internal and external examination. Such lesser examination may include an external examination including the taking of tissue samples for toxicology, a body scan and may involve internal examination of specified parts of the body as directed by the coroner.
- Forensic: A post-mortem involving a suspicious death or being conducted as part of a criminal investigation.
- Coronial: A post-mortem that is not categorised as being forensic.
- External only: External only is used when there is no post mortem, but the coroner has directed a preliminary inspection under section 21A of the Act.

I hope that the information in this response is helpful to you. If you do require any further information, please contact the Ministry's Media & Social Media Manager, Joe Locke, at media@justice.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Jacquelyn Shannon

Group Manager, Courts and Tribunals, Regional Service Delivery

Encl: Table 1: Number of post mortem directions, broken down by financial year, direction type, and ethnicity of the deceased, from 1 July 2007 to 30 June 2023

Lesser -
Forensic

PM Standard Full - Coronial	120	95	82	107	90	83	92	135	108	107	146	141	133	134	103	106
PM Standard Full - Forensic	4	3	5	4	1	8	13	8	8	7	6	11	10	10	10	11
PM Standard Lesser - Coronial	2	7	10	6	10	7	14	6	13	17	26	41	54	62	52	67
PM Standard Lesser - Forensic	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0
Total	142	123	127	213	123	109	140	174	154	150	197	232	208	229	188	208

Māori

PM External Only	0	0	1	1	3	3	2	4	8	5	0	0	0	1	0	2
PM Immediate Full - Coronial	176	197	215	182	146	107	116	124	103	113	101	91	88	92	75	90
PM Immediate Full - Forensic	8	21	33	15	19	6	7	11	8	11	5	1	4	4	4	3
PM Immediate Lesser - Coronial	11	31	19	24	42	20	11	12	20	19	28	26	31	32	36	47
PM Immediate Lesser - Forensic	0	2	1	0	0	0	0	0	0	0	0	0	0	0	1	0

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	PM Standard Full - Coronial	393	334	345	334	369	338	378	375	405	389	452	413	424	464	449	445
	PM Standard Full - Forensic	14	13	21	16	12	34	37	44	38	37	31	57	60	39	52	36
	PM Standard Lesser - Coronial	28	31	21	19	31	25	22	35	31	42	79	131	125	149	158	168
	PM Standard Lesser - Forensic	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0
	Total	630	629	656	591	622	533	573	605	613	616	696	719	733	782	775	791
Other	PM External Only	0	0	1	4	4	4	6	11	26	6	2	0	1	1	3	3
	PM Immediate Full - Coronial	163	115	129	110	88	56	52	53	54	30	23	46	46	53	57	51
	PM Immediate Full - Forensic	10	17	15	24	21	9	6	7	12	7	3	24	2	1	1	0
	PM Immediate Lesser - Coronial	8	12	15	90	8	7	7	13	5	9	5	10	16	12	11	34
	PM Immediate Lesser - Forensic	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	PM Standard	1,828	1,857	1,882	1,794	1,835	1,798	1,709	1,796	1,805	1,768	1,761	1,748	1,575	1,521	1,660	1,587

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	Full - Coronial																
	PM Standard Full - Forensic	34	31	47	25	41	73	69	87	77	82	60	73	58	48	61	54
	PM Standard Lesser - Coronial	80	75	53	47	66	83	77	90	96	139	211	259	308	346	376	503
	PM Standard Lesser - Forensic	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
	Total	2,123	2,108	2,142	2,094	2,064	2,030	1,926	2,057	2,075	2,041	2,065	2,160	2,006	1,982	2,169	2,233
Pacific	PM External Only	0	0	0	0	1	1	1	0	4	2	0	0	0	0	2	0
	PM Immediate Full - Coronial	27	31	29	27	20	19	25	17	15	9	11	11	10	13	11	15
	PM Immediate Full - Forensic	2	5	2	0	4	4	1	4	3	1	0	2	0	2	0	0
	PM Immediate Lesser - Coronial	3	3	3	4	4	1	1	0	1	0	0	4	3	3	5	7
	PM Immediate Lesser - Forensic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	PM Standard Full - Coronial	127	119	129	141	156	149	126	114	140	144	139	147	112	139	144	122

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	PM Standard Full - Forensic	1	5	4	2	3	8	5	5	6	8	5	18	7	16	13	7	
	PM Standard Lesser - Coronial	10	10	12	3	14	9	16	12	16	32	29	29	48	46	76	67	
	PM Standard Lesser - Forensic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Total	170	173	179	177	202	191	175	152	185	196	184	211	180	219	251	218	
Unknown/ Undefined	PM External Only	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	PM Immediate Full - Coronial	11	11	6	10	2	5	5	7	6	2	4	3	2	9	6	3	
	PM Immediate Full - Forensic	1	0	3	1	4	1	1	0	0	2	2	0	2	0	0	0	5
	PM Immediate Lesser - Coronial	1	0	0	11	0	0	0	1	2	1	1	0	0	0	0	2	2
	PM Immediate Lesser - Forensic	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	PM Standard Full - Coronial	38	43	53	47	51	28	35	54	29	44	40	38	42	41	47	45	
	PM Standard	1	3	0	2	7	2	4	5	7	3	5	11	6	9	5	5	

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	Full - Forensic																
	PM Standard Lesser - Coronial	2	6	1	0	1	3	1	4	5	8	7	5	9	9	11	20
	PM Standard Lesser - Forensic	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	55	63	63	71	65	39	46	71	49	60	59	57	61	68	71	80
Total		3,120	3,096	3,167	3,146	3,076	2,902	2,860	3,059	3,076	3,063	3,201	3,379	3,188	3,280	3,454	3,530

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