

11 May 2021

Virginia Crawford
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Tēnā koe Ms Crawford

Official Information Act 1982 request

Thank you for your Official Information Act 1982 (OIA) request of 10 April 2021. You have requested information on the following:

If a person dies after receiving the Comirnaty vaccine:

- a) *Will an inquest be required?*
- b) *What onus is on the deceased's doctor to request an inquest?*
- c) *Under what circumstances may that doctor issue a death certificate without an inquest?*
- d) *How long is the time frame involved in all the above?*

In response to parts a) and b) of your request, the information you have requested is publicly available within New Zealand legislation. I can advise that deaths are reported to the Duty Coroner in accordance with Coroners Act 2006 (the Act). For information on the reporting of deaths to the Coroner, please see sections 13 and 14 of the Act. For information on the coroner's decision to hold inquest, see section 80 of the Act. The Act can be accessed the following address: <https://www.legislation.govt.nz/act/public/2006/0038/latest/DLM377057.html>. Therefore, I am refusing this part of your request pursuant to section 18(d) of the OIA.

In response to part c) of your request, I can advise that a general practitioner or doctor can issue a Medical Certificate of Cause of Death under section 46B or 46C of the Burial and Cremation Act 1964. Under the circumstances outlined in those sections, a death is not referred to the coroner, and therefore a coronial inquest is not applicable. This process is overseen by the Ministry of Health and more information can be accessed at the following address: <https://www.health.govt.nz/our-work/regulation-health-and-disability-system/burial-and-cremation-act-1964/completing-death-documents>. In addition, the Burial and Cremation Act 1964 can be accessed at the following address: <https://www.legislation.govt.nz/act/public/1964/0075/latest/DLM355079.html>

In certain cases, a health practitioner must report a death to the coroner. For example, if a doctor or nurse practitioner is not able to, or not prepared to issue a Medical Certificate of Cause of Death, the death will be referred to the Duty Coroner. For more information on the Coronial process please visit <https://coronialservices.justice.govt.nz/home-2/>. To understand more on the referral of medical deaths to the coroner, you may also be interested in the information available at: <https://www.health.govt.nz/our-work/regulation-health-and-disability-system/burial-and-cremation-act-1964/referring-death-coroner>.

In response to part d) of your request I can advise there is no legislative or prescribed timeframe for when a coronial inquest is required, or when coronial findings are issued. In general, the length of time it takes a coroner to complete each coronial case depends on several factors, including the circumstances of the death. It would not be unusual for the coroner to postpone their inquiry until

after the investigations by other agencies have been completed, including medical agencies. How a case progresses is at the discretion of the coroner as an independent judicial officer.

If you require any clarification of the information contained in this response, please contact our Media and External Relations team by emailing media@justice.govt.nz.

If you are not satisfied with this response, you have the right to complain to the Ombudsman under section 28(3) of the OIA. You can contact the Office of the Ombudsman by writing to PO Box 10152, Wellington 6143; calling 0800 802 602; or emailing info@ombudsman.parliament.nz.

I trust that this information assists.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Bruce Findlay', with a stylized flourish extending to the right.

Bruce Findlay
Group Manager, Courts and Tribunals, Regional Service Delivery

Ref: 87251