

# House of Representatives

# Supplementary Order Paper

Tuesday, 1 December 2015

## Coroners Amendment Bill

### *Proposed amendment*

Jacinda Ardern, in Committee, to move the following amendment:

#### *Clause 30*

After *new section 57B* (page 21, after line 38), insert:

**57C Persons or organisations must respond to coroner's recommendations**

- (1) Any person or organisation that is the subject of coronial recommendations must provide a written response to the coronial recommendations.
- (2) The response must describe the actions that the person or organisation has taken, or plans to take, as a result of the coronial recommendations.
- (3) The response to the coroner's recommendations must be presented within 60 working days to,—
  - (a) the chief coroner; and
  - (b) where the organisation responding is a government agency, also the Minister responsible for the government agency making the response.
- (4) Where the organisation is a government agency, the response must be published on the website of the government agency making the response within 20 working days of it being presented in accordance with **subsection (3)**.
- (5) The chief coroner must release a summary report every 12 months as part of annual reporting that will—

- (a) collate all responses received in the 12 months prior to the release of the report; and
- (b) include a commentary by the chief coroner on the adequacy of the responses; and
- (c) identify persons or organisations that have failed to respond to coronial recommendations and detail what they have failed to respond to.

### **Explanatory note**

This Supplementary Order Paper amends *clause 30* to insert *new section 57C*, which will require all persons or organisations to provide a written response to coronial recommendations. Coroner's recommendations play a critical role in understanding the causes of, and preventing further, deaths. Currently, the ability for those subject to coronial recommendations to ignore them undermines this role. Requiring a mandatory response regime would strengthen the role of the coroner in New Zealand, improve safety, and provide further transparency, ensuring that persons or organisations indicate how they will, or will not, implement recommendations, and why. The inclusion of *subsection (5)* serves to incentivise responses.