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18 April 2023

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Ref: H2023022127

Tēnā koe ██████████

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to Manatū Hauora (the Ministry of Health) on 17 March 2023 for information regarding the Assisted Dying Secretariat. You requested:

“In reviewing our mothers records from the Assisted Dying Secretariat, my sister and I have a question we would like answered and that is, under the law, what is the role of the Registrar at the Secretariat - is it to check for regulatory compliance or is it to question the assessments/decisions of the AMP and IMP as has obviously happened in our mothers case?”

The role of Registrar (assisted dying) is established under section 27 of the End of Life Choice Act 2019 (the EOLC Act). It acts as one of the safeguarding functions of the EOLC Act to ensure the requirements of the Act are always met. Section 19 (parts 4 and 5) of the EOLC Act requires the Registrar (assisted dying) to check that specific sections of the EOLC Act have been complied with and to notify the medical practitioners of this. This statutory requirement to check for compliance with the EOLC Act means the Registrar (assisted dying) will at times make additional enquiries to endeavour to verify that the decisions made by the AMP/IMP (and Psychiatrist if required) comply with requirements specified in the EOLC Act.

The Registrar (assisted dying) must consider all information presented as part of the application, including all related clinical notes. Where the information available to the Registrar suggests that there may be certain aspects of the Act that have not been complied with, it is appropriate for the Registrar to seek further information from the relevant practitioners as part of the Registrar’s compliance checking role.

I trust this information fulfils your request. Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Nāku noa, nā

Ruihua Gu
**Acting Group Manager, Quality Assurance and Safety
Regulatory Services | Te Pou Whakariterite Ratonga**