

**POST-MORTEM EXAMINATIONS, RETENTION OF ORGANS**

*Statement by Minister for Health*

**MR KUCERA** (Yokine - Minister for Health) [12.17 pm]: Today, I table the final report of an investigation into post-mortem examinations and the retention of organs in Western Australia. I ordered the investigation earlier this year, as a result of concerns that had been raised about the retention of organs following post-mortem examinations in New South Wales and elsewhere. The final report, entitled "Removal and Retention of Organs and Tissue Following Post-Mortem Examinations", examined current post-mortem practices and procedures in Western Australia under existing legislation. It also considered the need for any amendments to existing legislation, changes to procedures or the implementation of new procedures relating to the conduct of post-mortem examinations.

In March of this year, a hotline was established by the Department of Health to receive calls from members of the public who had queries or concerns relating to possible organ and tissue retention following the death of a loved one. An interim report, which was released in June, detailed progress on the cases of 34 people who had contacted the hotline. The interim report is annexed to the final report. After the release of the interim report, 22 additional cases were registered with the Department of Health for investigation.

It is reassuring that the final report found that no changes were required to the system of coronial post-mortem examinations in Western Australia. Western Australians can be confident that the coronial system complies with current best practice. However, the report found the existing system of non-coronial post-mortem examinations needed to be more explicitly based on the principle of informed decision making by relatives of the deceased person. The final report contained the following recommendations: that a code of practice be issued under the Human Tissue and Transplant Act 1982, which gives effect to the principle of informed decision making by relatives; legislative change should occur to incorporate informed decision making by relatives in relation to all aspects of non-coronial post-mortem examination, including the retention of organs; a post-mortem coordinator should be appointed to each hospital in which coronial post-mortem examinations are carried out; and each hospital should have procedures in place to respond to further queries concerning organ and tissue retention in past post-mortem examinations; each hospital imposes a moratorium on disposal of any retained organs and tissue from past post-mortem examinations for a period of three years as recommended by the Australian Health Ethics Committee; and practices and procedures in this State remain consistent with any future guidelines or recommendation made by the AHEC and the Australian Health Ministers Advisory Council.

I can inform the House today that a code of practice will be issued shortly to ensure practices and procedures relating to non-coronial post-mortem examinations in WA follow the principle of informed decision making by relatives until changes can be made to the Human Tissue and Transplant Act. The Government will act to ensure gaps in current practices identified in the report are closed and that post-mortem standards and practices satisfy the expectations of the Western Australian community. I now table the report.

[See paper No 770.]