

6 May 2021

Our Reference: IR-01-21-11242

Maria Lilley
fyi-request-15083-cf1e5285@requests.fyi.org.nz

Dear Maria

I am writing in response to the request you submitted 6 April 2021. Your request has been considered pursuant to the Official Information Act 1982 (the Act). Specifically, you requested:

1. *A copy of your processes and procedures in relation to notifying family of a death or suspected suicide of their family member.*
2. *Information about how you decide who amongst Next of Kin should receive this sensitive information first.*
3. *Information about whether or not there are protocols in place about, in the first instance, notifying people under the age of majority of the death or suspected suicide of a family member.*

Question 1

The following is an extract from the Police Instructions on Sudden Death. Police Instructions include (amongst other information) policy, general instructions and guidance applying to all Police employees.

***Advising immediate family of death and significant matters
Police responsibility to inform immediate family of death***

If a death is subject to the Coroners Act 2006 and must be reported, Police assist the coroner by informing immediate family as soon as possible of that death. If the deceased is a foreign national refer to Death of foreign nationals in New Zealand section.

When reporting to the coroner is not required, Police must inform the deceased's immediate family as soon as the deceased's identity is confirmed. In the case of estrangement within the immediate family, Police should consider informing all parties and not rely on family members to inform other immediate family of the deceased.

Coroner to notify persons of post-mortem, inquiry, and inquest

The coroner to whom a death has been reported must give notice of significant matters to representatives and members of the dead person's immediate family

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and other people or organisations the coroner considers have an interest in the death. Police at the scene may be called on to assist the coroner give notice to the immediate family. (s23)

Significant matters include:

- the coroner's direction that a post-mortem be performed
- the opening of an inquiry
- the date, time, and place for an inquest
- when an inquiry has been completed.

(s24)

Informing other relatives

It is not the responsibility of police to tell other relatives, but it is important you check this has been done before the death is announced by the media. Tell the immediate family to inform the other relatives as quickly as possible so that the news can be made public. Informing them promptly will also prevent them from hearing about the death from other sources. Occasionally circumstances are such that it is appropriate for police to inform other relatives if asked to do so. Ensure Victim Support assists you in this task.

Organ donors

If a person is a potential organ donor, police can assist the medical profession by: making inquiries to locate immediate family providing contact between immediate family and the medical profession.

Note: Obtaining approval from immediate family for organ removal is the responsibility of the medical profession.

However, if the death occurs in suspicious circumstances and results in a Police inquiry, the O/C Investigation must carefully evaluate the situation in consultation with relevant medical professionals, Police pathologist and the coroner (where the Coroners Act 2006 applies to the death).

Locating immediate family

The usual lines of inquiry are:

- friends, bystanders
- business associates
- examination of address book and personal papers
- birth certificate, marriage certificate and so on
- bank, hospital, or government records
- publishing the photo
- missing person reports
- public trustee.

Deaths of military personnel

In Defence establishments	Outside Defence establishments
If the death is: <ul style="list-style-type: none">• accidental - Defence Force staff inform immediate family	Police inform the immediate family and the Defence Force.

<ul style="list-style-type: none"> • <i>non-accidental - Police inform immediate family.</i> 	
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Procedure for advising immediate family located in your district

Follow these steps when advising immediate family located in your district of a death.

Step	Action
1	<i>Before informing an immediate family member of a death, establish their identity and relationship with the deceased.</i>
2	<i>Inform the immediate family of the death in person if possible. Do so in a tactful and sympathetic manner, and extend your condolences to them. See the guidance on multiple fatalities and coordinating advice when relevant. Use the services of Victim Support as soon as possible and consider taking a Victim Support worker with you when informing the immediate family.</i>
3	<i>Take whatever time is required to break the news sympathetically, and supply information about the death, including the circumstances of the death if possible.</i>
4	<p><i>Explain about the coroner where applicable and that Police act as the coroner's agent. Also explain that:</i></p> <ul style="list-style-type: none"> • <i>Police involvement does not mean that the death is suspicious</i> • <i>the law requires the cause of death to be established and that there may need to be a post-mortem.</i> <p>Note: <i>The post-mortem requirement decision is made by the coroner. This decision will be advised to the family by NIIO. In the event that the family raise an objection to a post-mortem, you should direct them to NIIO.</i></p>
5	<i>Explain that evidence must be preserved at the scene of the death until the cause of death is established.</i>
6	<i>Ask for contact details of immediate family members and their representatives who wish to be kept informed by the coroner of the processes to be performed. Put this information on the Report for coroner (POL47).</i>
7	<i>Ensure any relevant information concerning ethic needs or religious requirements are communicated to NIIO.</i>
8	<p><i>Leave copies of either or both of the following for the immediate family:</i></p> <ul style="list-style-type: none"> • <i>"The First 48 Hours: What to expect after a sudden death"</i> • <i>"When Someone Dies Suddenly: A guide to the Coronial Services of New Zealand"</i> <p><i>Complete the 'brochure' boxes on the POL 47 to confirm you have given the immediate family the coroner's booklet ("When Someone Dies").</i></p>

Advising immediate family located outside your district

If the immediate family are not in your district, enter an event into the CARD system, providing sufficient information for police to give relatives the details of the death.

The event should be actioned as soon as practicable.

Once the immediate family have been informed, the Emergency Communication Centre must advise the originating Police officer that it has been completed.

Immediate family outside New Zealand

This table summarises what you should do if the immediate family are overseas.

Deceased New Zealand national	Deceased foreign national with diplomatic rep in NZ	Deceased foreign national with no diplomatic rep in NZ
<ul style="list-style-type: none">• Find out whether there are any relatives in New Zealand who can contact immediate family.• If there are no relatives or the relatives have had no success in contacting immediate family, contact Interpol.	<ul style="list-style-type: none">• Contact the embassy.• Ask them to advise the next of kin.	Contact Interpol.

See also 'Death of foreign nationals in New Zealand'.

Contacting Interpol

When contacting Interpol:

- complete the Notification of Death for NOK Outside NZ form with as much detail as possible, and
- email to Interpol Wellington.

Interim or unconfirmed identification

If an interim or unconfirmed identification is made, Police must make enquiries to confirm the deceased's identification with relevant people and agencies.

Where evidence gathered from these enquiries points to a preliminary identification of the deceased, advise the presumed immediate family that while no formal identification has been made, there is a probability that a family member has died.

In such circumstances, ensure:

- Victim Support places a volunteer with the immediate family
- the deceased is formally identified as soon as possible.

Multiple fatalities

If there are multiple fatalities, an immediate family liaison officer should be appointed to co-ordinate the communication with immediate family and deal with requests for information from them.

The local Victim Support will appoint a liaison person to work with the Police immediate family liaison officer. See also: Mass Fatality Framework.

Note: You must accurately identify the genuineness of people claiming to be immediate family members. If there is any doubt, ask the inquirers to go to the nearest Police station, identify themselves, and ask to speak to the immediate family liaison officer.

Issues involving notifications

Advise the coroner of any issues involving notifications of the immediate family.

Question 2

Part of the investigative process when officers attend a sudden death is to determine the family connections in the individual's life, and to identify who would be the most appropriate to inform. The next of kin connections may be straight forward or they may be complicated, and officers use their judgement around who to inform.

Question 3

There is no specific process in place. The general practice is that officers use their discretion and exercise their judgment according to the circumstances. All Police receive training in dealing sensitively with advising next of kin around a sudden death.

I trust you are satisfied with my response to your request. If not, you have a right under section 28(3) of the Act to ask the Office of the Ombudsman to seek an investigation and review of my decision.

Yours sincerely



Inspector Nic Brown
Acting Director: Capability, Frontline Capability
