

FACT SHEET

Perinatal Registry Amendment Bill 2010

The *Perinatal Registry Act 1994* (the Act) establishes the Council of Obstetric and Paediatric Mortality and Morbidity (the Council). The functions of the Council include the maintenance of a perinatal data collection system; investigating the circumstances surrounding maternal deaths, perinatal deaths and the deaths of children up to 17 years; and investigating and reporting on matters relating to obstetric and paediatric mortality and morbidity referred to it by the Minister or Secretary.

The Act contains very strict confidentiality provisions such that the Council and its members are precluded from providing information to other persons except in very limited circumstances.

In 2009, as part of a coronial inquiry into the death of a child, the coroner called for urgent amendment of the *Perinatal Registry Act* to enable relevant information and opinion held by the Council to be provided to the coroner.

The Council undertook a review of the Act and determined that there was merit in the coroner's recommendation. It also identified some other deficiencies in the Act. The amendments will:

- enable the Council to communicate to a coroner information relevant to a coronial inquiry or possible coronial inquiry into the death of a child or woman, of its own motion or at the request of the coroner
- enable the Council to investigate and report to the Secretary or Minister (or any other relevant Minister) on any matter relating to obstetric and paediatric mortality and morbidity of its own motion without a reference from the Secretary or Minister
- enable the Council to communicate information regarding identified deaths or morbidities to the Secretary, a relevant Minister or the proposed Child Death and Serious Injury Council
- provide that the Council has the power to place a restriction upon the subsequent use of any information or reports provided by the Council to a coroner, the Secretary, a Minister or the Child Death and Serious Injury Council
- enable a Council member to communicate information that comes into its possession to the Secretary where there is a belief or suspicion, on reasonable grounds, that a child has been or is being abused or neglected or is at risk of being abused or neglected and
- allow the Council to report information about possible criminal offences to the Commissioner of Police.