



Health and Disability Commissioner  
*Te Toihau Hauora, Hauātanga*

## **Inadequate information and informed consent prior to hysterectomy surgery**

**20HDC01996**

Deputy Health and Disability Commissioner Rose Wall has found a specialist obstetrician and gynaecologist breached the Code of Health and Disability Services Consumers' Rights (the Code) for failing to provide a woman with adequate information to enable her to provide informed consent to treatment.

The woman at the centre of this case underwent surgery to manage heavy menstrual bleeding. The surgery included a total bilateral hysterectomy and a bilateral salpingo oophorectomy (removal of the ovaries and fallopian tubes).

Ms Wall found the specialist breached right 7 – the right to make an informed choice and give informed consent | whakaritenga mōu ake – for failing to inform the woman preoperatively that removal of her ovaries would render her menopausal.

The surgeon also failed to give the woman information about the surgical risk of injury to the bladder wall, which occurred in this case and caused a complicated recovery. While the postoperative care met accepted standards, Ms Wall found the specialist breached Right 6 – which gives consumers the right to full information | whakamōhio.

“As part of the informed consent process, undertaken prior to the hysterectomy and bilateral salpingo oophorectomy, the woman should have been informed about the risk of injury to the bladder,” Ms Wall said.

The case highlights the importance of the informed consent process, and consumers being given all the relevant information to enable them to make an informed decision on their care.

“This is also outlined in the relevant guidance on informed consent from the Medical Council and the Royal Australian and New Zealand College of Obstetricians and Gynaecologists.”

Ms Wall made several recommendations in the report for the obstetrician and gynaecologist to improve their management of informed consent for future consumers.

22 April 2024

**Editor's notes:**

Please only use the photo provided with this media release. For any questions about the photo, please contact the communications team.

The full report of this case can be viewed on HDC's website - see HDC's '[Latest Decisions](#)'.

Names have been removed from the report to protect privacy of the individuals involved in this case.

The Commissioner will usually name providers and public hospitals found in breach of the Code unless it would not be in the public interest or would unfairly compromise the privacy interests of an individual provider or a consumer. More information for the media, including HDC's naming policy and why we don't comment on complaints, can be found on our website [here](#).

HDC promotes and protects the rights of people using health and disability services as set out in the [Code of Health and Disability Services Consumers' Rights](#) (the Code).

In 2022/23 HDC made 592 quality improvement recommendations to individual complaints, and we have a high compliance rate of around 96%.

[Read our latest Annual Report 2023](#)

Health and disability service users can now access an [animated video](#) to help them understand their health and disability service rights under the Code.

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