



Australian
Competition &
Consumer
Commission

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Your ref: COR 2015 5316, COR 2014 5424 & COR 2016/4013
Our ref: D17/51499
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04 May 2017

Ms Audrey Jamieson
Coroner
Coroners Court of Victoria
65 Kavanagh Street
SOUTH BANK VIC 3006



Dear Ms Jamieson

Response to investigation into the deaths of Miki Yamamoto, Olga I Jucan & Lauren Pilkington

In response to your letter about suicides using helium gas, the Australian Competition and Consumer Commission (ACCC) has commenced an investigation into the extent of this method of suicide in Australia and the availability of helium gas cylinders to the public. Based on this work, we are exploring regulatory and non-regulatory options for the control of this type of product, as a way of preventing or reducing its use as a suicide agent.

We have received a report from the National Coronial Information System (NCIS) that shows that nationally there were about 400 deaths using helium in the 17 years from 2000 to 2016 and that the use helium gas in suicides is increasing. Rates across Australian states over the same 17 year period range from 12 to 18 deaths per million people, although the rate in the ACT is significantly higher at about 30 per million people. In most instances, the source of the helium gas is unknown (or at least undocumented in NCIS records). Where the source of helium is known, about 75 per cent is sourced from party goods suppliers, i.e. balloon blowing kits, and about 15 per cent is from industrial gas suppliers.

As I indicated in my letter to you of 13 May 2016 regarding Ms Yamamoto's death, the ACCC view is that effective restriction of access to potentially harmful drugs and poisons (including gases) can be achieved through scheduling in the Standard for the Uniform Scheduling of Medicines and Poisons (SUSMP or Poisons Standard). The Australian Government Department of Health, Therapeutic Goods Administration administers the Poisons Standard. It is given effect by each State and Territory through their own laws that determine where consumers can buy a particular drug or poison (including gases), and how it is to be packaged and labelled. The Advisory Committee on Chemicals Scheduling (ACCS) is the committee appropriately placed to amend the controls in place under the Poisons Standard.

The ACCS is a national committee made up of State & Territory Department of Health representatives and appointed experts in a range of fields including toxicology, OH&S, clinical aspects of human poisoning and industrial/domestic chemicals. The Committee supports and advises the Scheduling delegate, who is the decision maker for the scheduling of poisons in Australia.

We have started preparing a paper for the ACCS to discuss options for controls of the asphyxiant gas helium through:

- changes to public access, through amendments to the Poisons Standard (Schedule for the Uniform Scheduling of Medicines and Poisons)
- amending labelling or inclusion of new warnings
- limiting cylinder sizes available to the public
- changes to cylinder/nozzle operation or controls, e.g. a nozzle that needs to be repeatedly depressed and only delivers a small amount of gas each time
- inclusion of a gaseous 'bitterant', e.g. denatonium benzoate, similar to aerosol cans of compressed air used for dusting photographic and electronic equipment.

At this early stage we are still considering all options, although some of the listed options may not be practical or possible.

The ACCS meets three times a year and we expect they will consider this matter at their November 2017 meeting. We will keep you informed of developments. In the meantime, if you have any questions, please contact Dr Wendy Cooper.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Neville Matthew', with a long horizontal stroke extending to the right.

Mr Neville Matthew
General Manager
Consumer Product Safety Branch