



Department of Health

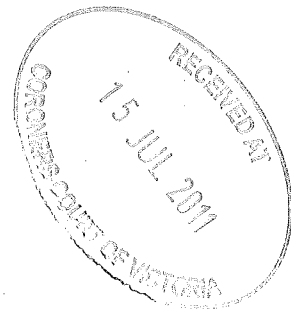
Secretary

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11 JUL 2011

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Mr Mark Roberts
Coroner's Registrar
Coroners Court of Victoria
Level 11, 222 Exhibition Street
MELBOURNE VIC 3000



Dear Mr Roberts

I am writing in response to your letter of 02 May 2011 regarding the completed investigation into the death of Brendan Glover (Court ref 5571/08).

In her findings at page 7 the Coroner made two recommendations pursuant to s. 72(2) of the *Coroners Act 2008 (Vic)* which are:

1. That the Department of Health review the contents of the Responsible Sale of Solvents – A Retailers Kit to ensure that it contains relevant, up-to-date information that supports retailers to understand their obligations under the *Drugs, Poisons and Controlled Substances Act 1981 (Vic)* and offers practical advice on how to meet these obligations, to reduce the sale of butane lighter refills to abusers and reduce resultant harm and death.
2. That the Department of Health develop a process for identifying butane lighter fluid retailers and distributing the Responsible Sale of Solvents – A Retailers Kit to them proactively, to reduce the sale of butane lighter refills to abusers and reduce resultant harm and death.

In response to the first recommendation the Department of Health agrees that the *Responsible Sale of Solvents – A Retailers Kit* developed in 2002 needs to be updated and has commenced that work.

In response to the second recommendation the Department agrees that a process for identifying butane lighter fluid retailers be undertaken so as to reduce the sale of butane lighter refills to abusers. The Department will take up this recommendation and distribute the updated kit as a logical next step in the process of updating the Retailers Kit. It is anticipated that the Australian Retailers Association of Victoria, will be able to assist with identifying and contacting these groups.

In her findings at page 3 under the comments section pursuant to s.72(3) of the Act Coroner Spooner also make three comments which are:

Paragraph 9. The Department of Health has in the past proactively commissioned research to explore product modification and substitution, and should be encouraged to continue commissioning research in this area as appropriate.

Paragraph 12. The Department of Health should consider developing a professional education resource for youth workers, health workers, drug and alcohol workers, child protection workers and others who have contact with inhalant abusers, to ensure they are familiar with current best practice in managing inhalant abuser risks.

Paragraph 14. The Department of Health should consider meeting with inhalant abuse experts to explore whether there is an evidence base and rationale for banning butane sales to people aged under 18 years in Victoria, as has been done already with some other products such as spray paint cans.

The Department has previously commissioned a project that looked at putting bittering agents into inhalant products as a way to discourage their use. The research conducted by the CSIRO in 2005 found that it was not feasible or practical. Therefore it is not proposed at this time to continue research in this area given that it is unlikely the research will lead to feasible options that can be implemented.

The Department has a professional education resource in best practice in managing inhalant abuser risk. The resource was produced in 2003 and is titled 'Management Response to Inhalant Abuse – Guidelines for Community Care and Drug and Alcohol Sector'. This resource will also be updated along with the Retailers Kit.

The Department will examine the current research and evidence and consider the best options to ban butane sales to people under 18 years. In particular the Department will look at the work of the taskforce on butane misuse, by the Western Australia government. In its report and recommendations published in October 2006, the Taskforce concluded that they would not recommend legislation to restrict the sale of butane on the basis that the risks, which would include potentially alerting young people to the substance, may outweigh the potential benefits. The Department will follow up with the work of the taskforce and further examine its findings and applicability to the Victorian context.

The Department is continuing to work towards reducing harms associated with inhalant abuse and has established a number of initiatives. Using inhalants is not illegal in Victoria. However pursuant to the *Drugs, Poisons and Controlled Substances Act 1981* (ss, 57, 58 and 59) Victoria prohibits the sale or supply of substances that might be used as an inhalant if the seller believes the recipient intends to use them for that purpose. Under Victorian legislation, stores have the right not to sell solvents to particular customers and a store manager has the right to ask any individual to leave the store. Additionally, retailers have the right to withdraw particular items from sale.

If you have any questions in relation to this response please contact Ms Irene Tomaszewski, Manager, Prevention and Policy, Mental Health, Drugs and Regions Division on 9096 5032.

Yours sincerely



FRAN THORN
Secretary