



Secretary

Department of Health

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Coroner Darren J Bracken
Coroners Court of Victoria
75 Kavanagh Street
Southbank VIC 3006
cpuresponses@coronerscourt.vic.gov.au

Dear Coroner Bracken

Thank you for your letter regarding your findings on the death of Mandy Jane Hawkey and your recommendation to the Department of Health to consider the findings in relation to Dr Mark Robson's failure to comply with the *Drugs, Poisons and Controlled Substances Act 1981* (the Act) by prescribing flunitrazepam, a Schedule 8 poison, without a permit (Coroners reference: COR 2018 3865). I am responding to the recommendation addressed to me.

I note your recommendation regarding Dr Robson's failure to obtain Schedule 8 permits for flunitrazepam. Unfortunately, the Department is not in a position to take any action in relation to Schedule 8 permit non-compliance under the Act. This is because of the time that has elapsed since Ms Hawkey's prescriptions for flunitrazepam were issued. Nonetheless, my Department will review Dr Robson's recent prescribing history and Schedule 8 permit compliance for patients under his care.

The Department employs multiple strategies to promote awareness of Schedule 8 permit requirements amongst Victoria prescribers. Educational materials that describe Schedule 8 permit requirements to support prescribers in complying with Schedule 8 permit requirements are regularly updated and published. These materials are complemented by a compliance program that targets individual prescribers to inform them of their legal obligations. The Department rolled out educational campaigns on Schedule 8 permit requirements resulting from mandatory SafeScript use and a COVID-19 Public Health Emergency Order that changed Victoria's Schedule 8 permit system. Schedule 8 permit requirements are also covered in detail in the SafeScript online training modules. Finally, I am pleased to inform you that the Department is currently in the process of enhancing SafeScript to help guide prescribers on when they are required to apply and hold a Schedule 8 permit.

I am keen to explore with the Coroners Court of Victoria options to share information as early as possible during the Coronial Investigation, to prevent further harm to patients. Specifically, if we are informed early that failure to obtain a Schedule 8 permit or check SafeScript may have contributed to a person's death we could better prioritise interventions that respond to the non-compliance, thereby limiting the extent of harm to other patients.

Your office is welcome to contact and meet with Jacqueline Goodall, Director, Medicines and Poisons Regulation at the Department of Health on 0436 916 950 or via Jacqueline.Goodall@health.vic.gov.au to progress this discussion. I look forward to the

Department continuing to work with the Coroners Court of Victoria to reduce serious harms caused by non-compliance with Schedule 8 permits and SafeScript.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Euan M Wallace', with a long horizontal flourish extending to the right.

Professor Euan M Wallace AM
Secretary

25/07/2022