



Department of Health and Human Services



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Nancy Carbone
Coroner's Registrar
Coroners Court of Victoria
66 Kavanagh Street
SOUTHBANK VIC 3006

Dear Ms Carbone

Inquest into the death of Elizabeth Ewart (Court reference: COR 2017 000980)

I acknowledge receipt of Coroner Byrne's investigation into the death of Elizabeth Ewart on 27 February 2017 at Melbourne Clinic, a private psychiatric hospital managed by Healthscope Operations Pty Ltd.

After considering the evidence presented to the Court, Coroner Byrne recommended that:

'the Chief Psychiatrist formulate a directive to prescribing a standard protocol/practice in all inpatient facilities that visual observation of a patient include not only full faced unequivocal identification but, to ensure the physical wellbeing of the patient, a screening for any changes in presentation that may indicate an acute or developing medical condition'.

Response

Role of the Chief Psychiatrist

Section 120 of the *Mental Health Act 2014* sets out my responsibilities. For the purposes of the Act, and of relevance to the Inquest, my role includes providing clinical leadership and expert clinical advice to mental health service providers in Victoria and promoting continuous improvement in the quality and safety of the services they provide. Mental health services are defined in the *Mental Health Regulations 2014* as public mental services.

I therefore have no jurisdiction over private health facilities including the Melbourne Clinic. Private providers are welcome to access the Chief Psychiatrist's guidelines which are publicly available but they are under no obligation to follow them and my office cannot insist that they do so.

Health care standards

In this regard, I advise that from January 2019 health services including private hospitals must comply with the National Safety and Quality Health Service Standards (2nd edition) published by the Australian Commission on Safety and Quality in Health Care. These standards include a new standard focusing on health services' recognition and response to patients' acute deterioration, whether physical or mental. To meet this standard, health services must have processes in place for clinicians to detect patients' acute deterioration; document and track their vital signs when indicated; develop monitoring plans, and have processes for patients, carers or families to directly escalate care.

To gain accreditation as a health service provider, the Melbourne Clinic (as with any health service) must demonstrate to the accrediting agency that it complies with this and other standards.

The standards document can be accessed at:
www.safetyandquality.gov.au/sites/default/files/2019-04/National-Safety-and-Quality-Health-Service-Standards-second-edition.pdf.

Accordingly, it is my view that the Coroner's recommendation has in fact been addressed by the development of the national health standards which came into effect almost two years after Elizabeth Ewart's death.

I acknowledge the tragic and untimely death of Ms Ewart and have carefully reviewed the matters you raise.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. Huppert', with a stylized flourish at the end.

David Huppert
Deputy Chief Psychiatrist
31/ 12/ 2019