



## Department of Health

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Our Ref: RD-2016117183

Josh Munro  
Coroner's Registrar  
Coroners Court of Victoria

*Sent via email: [cpuresponses@coronerscourt.vic.gov.au](mailto:cpuresponses@coronerscourt.vic.gov.au)*

Dear Mr Munro

**RE: Inquest into the death of Christopher Dewhurst (COR 2016 5972)**

Thank you for your letter of 9 June 2021 concerning Coroner Jamieson's recommendation to the Chief Psychiatrist in relation to the death of Christopher Dewhurst. Apologies for the delay in responding to this recommendation.

The Coroner has recommended that:

*The Chief Psychiatrist review the Guidelines related to Leave (Leave of absence from a mental health inpatient unit guidelines) to specifically reference Family Meetings and recommend that the patient's leave entitlements be suspended until a review of the patient's risk to take leave – escorted, unescorted, on grounds, off grounds; by the patient's Consultant Psychiatrist can be made.*

We acknowledge that the Chief Psychiatrist Guideline does not reference family meetings nor specify the need of involvement of the Consultant Psychiatrist in the authorising of leave.

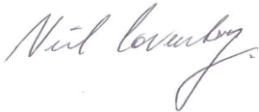
Mental Health Act Form 120 (MHA 120) is the document used to authorise Leave of Absence of a Compulsory Patient. It requires the Authorised Psychiatrist or delegate to stipulate the purpose and duration of leave, an understanding that such leave is not likely (on basis of available information) to seriously compromise the patient's (or other people's) safety and the conditions of leave. Prior to signing the Authorised Psychiatrist is also required to have regard to (among others) the views of a carer, if the leave will directly affect the carer and the care relationship.

Risk assessment is a dynamic process. The suspension of leave requirements following family meetings as a matter of routine until a consultant psychiatrist is able to reassess the patient's risk to take leave is not consistent with the requirement (under the Mental Health Act) to follow least restrictive practice (unless restrictive practice is required to modify a clear and existing risk). Suspending leave without clear cause may also, inadvertently, increase risk or reduce a person's capacity to engage in emotion regulation strategies (eg going for a walk).

An assessment of risk prior to a person activating leave -as took place in this case- is a clinically balanced strategy to manage both the potential for risk but also the obligation to maintain a least restrictive approach.

If you have any further queries, please contact my office on email [ocp@health.vic.gov.au](mailto:ocp@health.vic.gov.au).

Yours sincerely

A handwritten signature in cursive script, appearing to read "Neil Coventry".

Dr Neil Coventry  
Chief Psychiatrist

15 / 10 / 2021