



Secretary

Department of Health

50 Lonsdale Street
Melbourne Victoria 3000
Telephone: 1300 650 172
GPO Box 4057
Melbourne Victoria 3001
www.health.vic.gov.au
DX 210081

BAC-CO-52712

Niels Gabriels
Coroner's Registrar
Coroners Court of Victoria
Via e-mail: cpuresponses@coronerscourt.vic.gov.au

Dear Mr Gabriels

COR 2022 1265 - Finding into death without inquest

Thank you for providing the finding of Coroner Audrey Jamieson dated 10 January 2025 in relation to the death of William Thomas Gourley, who died on 7 March 2022. I extend my sincere condolences to Mr Gourley's family and loved ones.

Coroner Jamieson directed the following recommendation to the Victorian Department of Health (the department):

*"In the interests of promoting public health and safety and with the aim of preventing like deaths, I recommend that the **Secretary of the Victorian Department of Health**, consider and develop models for educating Victorian healthcare services on the need and utility of Nicotine Replacement Therapy in the context of patient safety and minimising the risk of absconding, and with the view to implement a consistent approach across all Victorian public hospitals."*

The department proposes to implement an alternative to this recommendation, noting that while the department does not develop models of education for healthcare services, it is able to provide information and guidance to the public health sector in relation to this issue.

Public health services are not subject to centralised governance. Victoria uses a flexible healthcare framework so public health services can customise their services to cater to the unique health and socioeconomic issues of their local communities.

Pursuant to the *Health Services Act 1988* (the Act), the department oversees the public health system and undertakes a regulatory and commissioning function of public health services in Victoria. This includes developing policies and plans for the delivery of health

services and encouraging safety and improvement in the quality of health services delivered by health care agencies.¹

Public hospitals are tasked with the operational management and implementation of internal healthcare policies. Pursuant to section 33 of the Act, the board of each public hospital is responsible for maintaining effective systems to ensure that health services provided meet the needs of communities and facilitate health education. Day-to-day management is the responsibility of the hospital's chief executive officer and staff.

Models available to healthcare staff on Nicotine Replacement Therapy in the context of absconding

The Victorian Network of Smokefree Healthcare Services (VNSHS) has partnered with 30 Victorian health services, including Quit Victoria and the department, to advocate against tobacco consumption and provide health services in regional areas. Coroner Jamieson noted in the current finding, that in 2020 VNSHS developed a setting-specific guidance manual to help address risks for patients and health services associated with nicotine withdrawal.² This manual identifies nicotine withdrawal for patients in emergency care as a risk factor associated with absconding and identifies Nicotine Replacement Therapy (NRT) as an effective measure for addressing this risk.

Additionally, the Chief Psychiatrist has published an online guidance tool to assist clinicians in relation to mental health inpatients. The guidance directs all Victorian mental health services to design policy to respond to risks of patients absconding. It contains information on how to assess risk, and what constitutes best-practice when responding to a patient attempting to leave – including offering NRT to patients requesting to smoke.³

The department's ability to disseminate NRT materials to the health sector

The department is able to provide information to the public health sector as follows:

- a. Inclusion of information in the Health Service Bulletin, a weekly newsletter published by the department that provides sector-relevant updates to public hospital executives.
- b. Raising issues in the Chief Executive Officer (CEO) Forum; a monthly meeting for public hospital executives that offers a platform for meaningful discussion among health sector decision-makers.
- c. Via Safer Care Victoria's (SCV's) guidance committee, which engages with the public health sector. SCV is an administrative office of the department.
- d. Through SCV's CEO Bulletin, which can target dissemination of information to key groups (such as Chief Medical Officers and pharmacy leads).

These mechanisms provide effective channels for the department to share information with the health sector and can be used to support the adoption of a consistent approach to NRT training across Victoria. The department will continue to assess the most effective

¹ *Health Services Act (1988)* (Vic), s 11A.

² 'Guidance for managing nicotine dependence & withdrawal in emergency care settings' <[guidance-information-management-of-nicotine-withdrawal-and-dependence-in-emerg-care-wfycbrfghpbl.pdf](#)>

³ 'Leave of absence from mental health units' <[Inpatient leave of absence](#)>

mechanisms for disseminating the NRT guidelines and advising the public health sector that staff members should be trained in their use, particularly in the context of patients absconding.

I trust this response is of assistance to the Court.

Yours sincerely

A handwritten signature in black ink, appearing to be 'JATTA'.

Jenny Atta PSM
Secretary

8/04/2025