



## ATTORNEY-GENERAL

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### REPORT TO THE LEGISLATIVE ASSEMBLY

Pursuant to section 46B of the *Coroners Act 1993*

In the matter of the Coroner's Findings and Recommendation regarding the death of Xysz Tacdliwaazy (Josh Ngalarina)

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Pursuant to section 46B of the *Coroners Act 1993* (the Act), I provide this report on the findings and recommendation of Local Court Judge Elisabeth Armitage, Territory Coroner, dated 5 April 2024, regarding the death of Xysz Tacdliwaazy (also known as Josh Ngalarina) (the Deceased) (Attachment A refers).

The report includes the response to the recommendation of the Territory Coroner from the Adjunct Professor Christine Connors, then Acting Chief Executive Officer (CEO) of the Department of Health (DoH) (Attachment B refers).

The Deceased, a 22-year old, died at approximately 11.30 pm on 31 January 2022 at the Royal Darwin Hospital. The cause of death was sudden death associated with volatile substance inhalation (butane and propane).

#### Recommendations of the Coroner

At paragraph 85 of the Coroner's Findings, the Coroner made the following formal recommendation in regards to the death of the Deceased:

'85. **I recommend** that the Department of Health consider extending the ban on aerosol cans to apply hospital wide and, where that is not possible, for example on medical grounds, they be kept safely secured.'

#### Response to coroner's recommendation

A copy of the Coroner's Findings was provided to Mr Marco Briceno, the then CEO of DoH, on 29 April 2024, in accordance with section 46A(1) of the Act.

A written response was received from Professor Connors, dated 23 July 2024, as required by section 46B(1) of the Act, advising that:

(a) NT Health has undertaken the following actions regarding the recommendation:

Prior to the inquest, NT Health took steps to ensure aerosol deodorants were no longer displayed and only available for purchase from behind the counter at the two pharmacies located on the Royal Darwin Hospital (RDH) Grounds. Commencing on 1 July 2023, a volatile substance abuse (VSA) sale contract clause was also inserted into the lease agreements with those pharmacies requiring storage of all products containing volatile substances behind the counters, and ensuring non-staff members were unable to access any volatile substances without authorisation.

On 2 and 4 July 2024, NT Health wrote to Territory Pharmacy Northpharm and Darwin Private Hospital to advise of the requirement that all non-compliant VSA substances be completely removed from the premises and are no longer permitted to be sold on hospital grounds, and that these requirements would become included in future contracts. Items now banned include:

- (I) any products with alcohol or alcohol based;
- (II) all aerosols – deodorants, hairspray, insect spray, etc.;
- (III) acetone – nail polish removes; and
- (IV) glues / adhesives.

NT Health is in the process of redrafting the brochures provided to patients admitted for elective surgeries, to list aerosol deodorants among the items they should not bring. It is anticipated the brochures will be published between 30 September and 14 October 2024.

- (b) NT Health has also developed and implemented the following actions regarding the Coronial Findings more generally:
- a 'Mental Health Outlier Management Model of Care', including the employment of three Mental Health Outlier nurse positions at RDH to provide 24-hour support to staff and patients requiring placement in a general ward when no acute mental health beds are available;
  - a 'Mental Health Outlier Nurse Role and Functions Top End Mental Health Service Procedure' to support the new Mental Health Outlier nurse role;
  - an 'Outlier Constant Supervision Instructions Form', including the roles and responsibilities for support persons;
  - an online VSA training package available for all NT Health staff, with VSA education now included in the Darwin Private Hospital and RDH face to face Orientation Program;
  - VSA posters for all clinical areas to support awareness of VSA;
  - a mandatory 'Mental Health Outlier training package', including for security staff providing support to mental health patients, and a regular credentialing report provided by contractors to monitor compliance; and
  - multidisciplinary 'Mental Health Outlier Deterioration Stimulation training' delivered by the Clinical Learning Education and Research Service, targeting areas who provide care for mental health patients in general awards.

I am satisfied that the CEO of DoH has considered the recommendation of the Northern Territory Coroner and that they are taking necessary steps to implement the recommendation.

DATE:



MARIE-CLARE BOOTHBY

8 / 10 / 2024