



## Duty of Candour introduced by the Victorian Government

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Published by: Michael Gorton AM

Recent Victorian legislation has introduced a new duty and legal obligation for public health services to provide information to patients following a serious adverse event. Principal, [Michael Gorton AM](#), was involved in developing these proposals for government.

### What is a statutory duty of candour?

The Victorian Government define it as “*a legal obligation to ensure that consumers of healthcare and their families are apologised to, and communicated with, openly and honestly when things have gone wrong in their care.*”

It adds to the practice of open disclosure required by health services under the existing Australian Open Disclosure Framework, rather than replacing it.

### Duty of Candour Resources

Find out more how this could impact your health operations with these useful resources.

#### Victorian Healthcare Association

Webinar recording - Victorian Healthcare Association (VHA): Quality and Safety Act: What you need to know about Duty of Candour, featuring Michael Gorton AM where he explains the the impact of the legislation.

*\*The webinar recording will be made available until 9 September 2022. After this date, the full recording is available to purchase via the VHA website.*

[Access the VHA webinar recording here](#)

[Download the VHA & Russell Kennedy 2 page duty of candour resource](#)

#### Australian Doctor

Michael was also interviewed by the “Australian Doctor” magazine.

[Access the Australian Doctor article here](#)

### People who can help



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Michael is an experienced commercial lawyer with a focus on the health sector. Michael's client

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How we can help

If you require any advice relating to the new statutory duty of candour obligation, please contact [Michael Gorton AM](#) or a member of our [Health team](#).

If you would like to stay up-to-date with Russell Kennedy's Alerts and Insights from our Health team, you can subscribe to our mailing list [here](#).

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