



**ORDER PURSUANT TO SECTION 56C(2) OF THE  
HEALTH AND COMMUNITY SERVICES COMPLAINTS ACT 2004 (SA)**

Mr Philip Dalton

Email: [redacted]

Dear Mr Dalton

**Prohibition Order pursuant to section 56C(2)**

I refer to your request to vary or revoke the Prohibition Order made by my predecessor, Mr Steve Tully, on 28 June 2017.

In seeking a variation or revocation of the eight orders Mr Tully imposed, you submitted:

- You are employed by [redacted];
- You reside in South Australia and wish to obtain an Adelaide based position with your current employer as an [redacted];
- This job would not “lend itself to administering or consuming schedule 8 drugs”;
- Your offenses were post traumatic stress disorder related;
- This occurred over 6 years ago;
- Your quick admission of guilt and pleading in court and the sentencing remarks by the magistrate;
- You hold an Aviation Security Identification Card issued for the full 2 year period;
- You have undertaken chain of custody drug screens for this clearance;
- You provided a personal reference to your character; and
- You take full accountability for your actions.

Pursuant to section 56C(3) of the *Health and Community Services Complaints Act 2004 (SA)* (the Act), I hereby vary the existing orders made on 28 June 2017 in the following way:

1. **Orders 2, 4, 5, 7 and 8 are revoked;**
2. **Order 1 is varied to read “Mr Dalton is prohibited from providing a health service which involves the administration of Schedule 8 drugs or poisons”;**
3. **Retain the following orders:**
  - a. Mr Dalton is prohibited from administering Schedule 8 drugs or poisons to any person; and
  - b. Mr Dalton notifies any employer who employs him to provide a health service, of this order and the conditions upon him providing a health service.

The above order/s will have effect from **12:01 on 8 September 2021** and will continue to have effect until varied or revoked.

In addition, pursuant to section 56C(2)(c) of the Act, I will cause to be published a public statement detailing the aforementioned prohibition orders together with a summary of my findings.

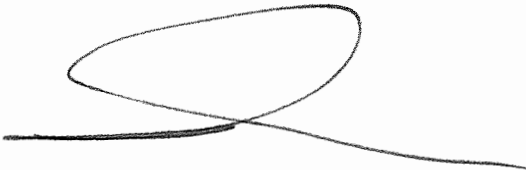
I also draw your attention to the following provisions of the Act:

- Section 56C(4) of the Act provides that, "A person who contravenes an order made under this section is guilty of an offence. Maximum penalty \$10,000 or imprisonment for two years or both." (a copy of section 56C(4) is attached).
- Section 56E provides for a right of appeal from orders made pursuant to section 56C of the Act (a copy of section 56E is attached).

If you wish to discuss this order you may contact me:

- telephone: 8226 8652
- write: HCSCC, PO Box 199, Rundle Mall SA 5000
- email: [info@hcsc.sa.gov.au](mailto:info@hcsc.sa.gov.au)

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Associate Professor Grant Davies  
**Health and Community Services Complaints Commissioner**

6 September 2021