



VICTORIA POLICE

Deputy Commissioner's Office

Victoria Police Centre
637 Flinders Street
DOCKLANDS VICTORIA 3008

Telephone [61 3] 9247 6890
Facsimile [61 3] 9247 6869

PO Box 913
MELBOURNE VICTORIA 3001

Mr Phillip Byrne
Coroner's Court Victoria
Level 11, 222 Exhibition Street
Melbourne VIC 3000



Dear Mr Byrne,

Subject: DOUGLAS, Craig
Case Number: COR 2011 1554
Date of Recommendations: 8 December 2014

I write in response to recommendation 1 arising from your findings in the inquest into the death of Craig Douglas.

Recommendation: That the Chief Commissioner of Police consider utilising the circumstances surrounding the death of Craig Douglas as a basis for the OSTT training scenario to further reinforce and focus the importance of planning at the operational level.

Response: This recommendation has been implemented

OTST training has recognised the importance of planning by incorporating the following into existing training to build upon the capability of members:

- January 2014- June 2014 – Introduction of the Tactical Options Model was relaunched after extensive review and supported by explanatory documentation in the form of an interactive online manual.
- An e-learning package was released to accompany the July – December 2014 OTST Bi-annual program. The subject matter was "Planned Response". This topic reinforces the operational safety principles and provides detailed and comprehensive application of planning and contingencies in the pre, present and post incident phases.
- The current e-learning program for the January – June 2015 OTST Bi-annual program focuses on the key management strategies of attendance at a potential provoked shooting incident. Planning around time, distance and negotiation as management strategies in the first instances are delivered and reinforced during face to face scenarios.

Yours sincerely,

Lucinda Nolan
Deputy Commissioner Regional Operations

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Dear Mr Byrne,

Subject: DOUGLAS, Craig
Case Number: COR 2011 1554
Date of Recommendations: 8 December 2014

I write in response to recommendation 2 arising from your findings in the inquest into the death of Craig Douglas.

Recommendation: In the absence of any suspicion as to possible criminal conduct and where practicable investigators should audio and visually record a 'free narrative' account of what happened by police involved in any incident involving a death associated with police contact as soon as possible after the incident has occurred.

Response: There are unresolved issues with the Coroner's recommendations that need to be addressed.

- 1. Self-incrimination proviso:** the recommendation recognises the proviso of 'in absence of any suspicion as to possible criminal conduct' - this may be difficult to judge or determine at the relevant time and will remain highly subjective to involved members, investigators and the oversight.
- 2. Evidentiary status:** the evidentiary status of 'free narratives' will need to be clarified and the relationship with written statements or clarification statement.
- 3. The Police Association advice:** The Police Association's legal advisors typically advise members not to participate in video or audio 'free narrative' type statements when involved in critical incidents.

Yours sincerely,

Lucinda Nolan
Deputy Commissioner Regional Operations

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