



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

Ms Audrey Jamieson
Coroner's Court Victoria
Level 11, 222 Exhibition Street
Melbourne VIC 3000



Subject: OGRAZDEN, Samir
Case Number: COR 2008 002028
Date of Recommendations: 4 July 2014

Ms Audrey Jamieson

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

Recommendation: The handcuffing of Samir by CIRT members was unnecessary in the circumstances. With the aim of managing seriously injured and deceased persons more humanely, I adopt the suggestion for a recommendation made by Counsel on behalf of Bobby Cobani and supported by Counsel Assisting.

I recommend that the training in respect of containment, restraint and arresting of seriously injured or deceased persons be reviewed and modified if appropriate, but at a minimum to take into account the necessity to proceed to handcuff a seriously injured or deceased person in circumstances where:

- a. It is not necessary to give effect to containment, restraint and an arrest; and
- b. It would be inhumane to handcuff that person; and / or
- c. Handcuffing the seriously injured may cause further injury.

Response: An alternative to the recommendation will be implemented.

The Victoria Police manual states that "any person taken into custody should be handcuffed if it is reasonably believed to be necessary in the circumstances". In practice a subjective assessment of the circumstances needs to remain with the members to ensure that, at a practical level, members are able to handcuff injured persons to ensure the attendance of ambulance personnel for example, who will not approach a violent person or person suffering psychotic or altered state of mind without the person being restrained or handcuffed by police. A blanket no handcuffing of seriously injured persons is not supported.

However, the inclusion of advice on the handcuffing of seriously injured persons into the biannual Operational Tactics and Safety Training for members, will be considered.

Yours sincerely,



Tim Cartwright APM
Deputy Commissioner Regional Operations

3 / 10 / 14



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

Ms Audrey Jamieson
Coroner's Court Victoria
Level 11, 222 Exhibition Street
Melbourne VIC 3000

Subject: OGRAZDEN, Samir
Case Number: COR 2008 002028
Date of Recommendations: 4 July 2014



Ms Audrey Jamieson

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

Recommendation: With the aim of improving the integrity of an investigation into police contact matters and improving disclosure and distribution of relevant material in a timely manner I recommend:

- a. Investigating officers conduct a video recorded walkthrough of the scene of the incident;
- b. Where possible and appropriate, interviews with police officers involved in the police-related fatalities should be video recorded; and
- c. All relevant notes and materials be disclosed and provided to the Coroner and the investigating officer, Counsel Assisting and Interested Parties prior to the commencement of the inquest.

Response: The Coroner's recommendation is unable to be implemented.

2a. Coroners investigators (particularly the Homicide Squad) often request members to participate in video recorded 'walkthroughs' of scenes to assist the coroner. However, these members are not compellable to participate and are often advised not to do so by The Police Association (TPA) legal representatives.

2b. This has been a long standing issue where video recording of police statements would be beneficial. However, the members cannot be compelled to do so and often advice from TPA is not to do so.

2c. This is a matter to be discussed between the Coroner and the Coroners investigators in determining what is relevant to the particular matter being investigated, as opposed to a 'blanket' determination in every case.

The Coroner directs the enquiry into the death and under the Coroners Act 2008, the Coroner is the investigations manager and may direct what 'relevant notes and materials' should be obtained by his/her 'coroners' investigators during the coronial investigation.

Yours sincerely,



Tim Cartwright APM
Deputy Commissioner Regional Operations

3 / 10 / 14



VICTORIA POLICE

Ms Audrey Jamieson
Coroner's Court Victoria
Level 11, 222 Exhibition Street
Melbourne VIC 3000

Subject: OGRAZDEN, Samir
Case Number: COR 2008 002028
Date of Recommendations: 4 July 2014



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

Ms Audrey Jamieson

I write in response to recommendation 5 arising from your findings in the inquest into the death of Samir Ograzden.

Recommendation: With the aim of minimising risks and harm to police officers, offenders and members of the public, I recommend that a training module on foot pursuits of armed and suspected armed offenders be developed and incorporated into the Victoria Police Manual and introduced by way of an OSTT component. Such a module should provide guidance to officers on the use of alternative tactical options to maintaining a foot pursuit against an armed or suspected armed offender such as but not limited to:

- a. Ensuring one members of a team takes responsibility for making radio communication about the direction and / or context of the foot pursuit;
- b. Considering whether disengagement is in the interests of public safety; and
- c. Considering whether the circumstances warrant the use of specialist resources.

Response: An alternative to this recommendation has been implemented.

The Victoria Police Tactical Options Model provides a framework for dynamic decision making, risk assessments and the use of specialist resources. A specific VPM on foot pursuits would not provide further clarity. Furthermore, current training within OTST and The Centre for Incident and Emergency management CIEM already considers all aspects within sub paragraphs (a), (b) and (c) of this recommendation having regard to the use of Tactical Options, Risk Assessments and use of specialist resources and communications.

Yours sincerely,

Tim Cartwright APM
Deputy Commissioner Regional Operations

3 110 114



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

Ms Audrey Jamieson
Coroner's Court Victoria
Level 11, 222 Exhibition Street
Melbourne VIC 3000

Subject: OGRAZDEN, Samir
Case Number: COR 2008 002028
Date of Recommendations: 4 July 2014



Ms Audrey Jamieson

I write in response to recommendation 6 arising from your findings in the inquest into the death of Samir Ograzden.

Recommendation: With the aim of improving scene management decision making and providing support to officer assuming 251 responsibilities, I recommend that there be a review of the sub-officers' training in this regard.

Response: This recommendation has been implemented.

The Centre for Incident and Emergency Management (CIEM) provide critical incident training to sub officers and have reviewed their training in light of this recommendation. The process of "on Air Direction" to ensure that patrol supervisors "take charge" is now part of the training to enhance direction, guidance and leadership at critical incidents.

In addition, the CIEM have worked with the current State Coroner, Judge Ian Gray, to update Victoria Police training in relation to the necessity to risk assess, plan and prioritise safe approaches to critical incidents.

Yours sincerely,

Tim Cartwright APM
Deputy Commissioner Regional Operations

3 / 10 / 14