



Department of Health



Secretary

50 Lonsdale Street
GPO Box 4541
Melbourne Victoria 3001
DX 210311
www.health.vic.gov.au
Telephone: 1300 253 942
Facsimile: 1300 253 964

16 JUL 2008

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Ms Lauren Stiffle
Coroners Registrar
Coroners Court of Victoria
Level 1, 436 Lonsdale Street
MELBOURNE VIC 3000

Dear Ms Stiffle

Re: Court Ref: 3973/06

Further to your letter of 7 May 2010 regarding the recommendations made following the inquest into the death of Bayden Roy Smith, please find attached the response from the Department of Health. These responses have been developed by the Chief Psychiatrist in consultation with relevant Departmental colleagues.

Please contact the Chief Psychiatrist on 03 9096 7571 if you require further comment or discussions on the Departmental response.

Yours sincerely

FRAN THORN
Secretary

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Incorporating: Health, Mental Health and Senior Victorians

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Attachment 1: Secretary to the Department of Health's response to Coroner's recommendations

Court Reference 3973/06 - Inquest into the death of Bayden Roy Smith

Coroner's Recommendation:

1. That the Minister for Health and/or Secretary to the Department of Health consider a review of the Crisis Assessment Team risk assessment methods and tool to achieve a set of guidelines/protocols/procedures for recommended methods of acquiring the best quality information available to enhance the risk assessment processes.

Secretary to the Department of Health's Response

The coroner's recommendation has or will be implemented. Area Mental Health Services have their local policies/protocols, procedures and guidelines for risk assessment. The Chief Psychiatrist has issued several clinical practice guidelines with risk assessment incorporated in the guidelines. These include *'Discharge Planning Guidelines' (CPG02081)*, *'Assessment of Intoxicated Persons' (CPG99121)*, *'Managing Persons required to attend Police Interview Courts' (CPG050110)*, *'In-patient Leave of Absence' (CPG09081)*. Risk assessment remains a challenge for all clinicians who have to constantly balance the rights of a person with the risk issues when making a clinical decision. The Department of Health is currently working on state wide Clinical Practice Guidelines for *'Assessment and Management of People at Risk of Suicide for Emergency Departments and Mental Health Acute Services'*. This will include education and tools to aid in clinical decision making when making risk assessments.

Coroner's Recommendation:

2. That the Minister for Health/ and or Secretary of the Department of Health consider overseeing the development of guidelines, protocols and procedures for appropriate safe release of apprehended persons which take into account that person's family and/or friends and community.

Secretary to the Department of Health's Response

The coroner's recommendation has or will be implemented. The Department of Health has issued a Program Management Circular *'Apprehension of Mentally Ill Persons by a Member of the Police Force under the Mental Health Act 1986'* (PMC03121). This circular gives some information about the legislation along with some of the responsibilities of the Police Force and the Mental Health Service. The Department of Health is currently working on guidelines for *'Assessment and Management of People at Risk of Suicide for Emergency Departments and Mental Health Acute Services'*. These guidelines should assist also in the assessment of apprehended persons. The Chief Psychiatrist has issued guidelines about *'Working together with Families and Carers' (CPG05041)*. The Chief Psychiatrist is currently working on a PDRSS/Clinical Information sharing guideline which will reinforce the need to share information between the PDRSS and Clinical sectors and will also include the need to share information with families.

Coroner's Recommendation:

3. That the Minister for Health and/or Secretary to the Department of Health consider providing a statutory capacity in the Mental Health Act to enable a limited 24 hours assessment and safety order to enable a more thorough assessment of a person's level of risk of suicide and safe release if considered appropriate.

Secretary to the Department of Health's Response

The coroner's recommendation is under consideration.

The *Mental Health Act 1986* is currently undergoing a major review. The concept of a limited assessment and safety component is being considered.