



Department of Justice and Community Safety

Secretary

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Our ref: 20083117
Your ref: COR 2014 5936

Coroner Spanos
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

Dear Coroner Spanos

I refer to your findings and recommendations delivered on 21 January 2020 regarding the death of Mr Travis Fernandez at Dhurringile Prison on 23 November 2014.

Two of your four recommendations were directed to the Department of Justice and Community Safety (DJCS), and one involved consultation with DJCS. DJCS supports all three recommendations, as detailed below.

Recommendation 1 - *That Justice Health collaborate with custodial health care providers to collect data on the reason(s) prisoners refuse medical treatment or refuse to attend specialist appointments to better inform further improvements to the custodial healthcare system.*

DJCS supports and has partially implemented this recommendation.

Justice Health has requested several changes to the 'cancellation' and 'refusal' workflows in JCare, the electronic medical record in Victorian prisons. These changes will enable the reasons for appointment cancellations and prisoner-instigated refusals of treatment to be documented.

These JCare changes require system upgrades which are due to be implemented in the next six weeks.

Recommendation 2 - *That Corrections Victoria collaborate with Justice Health and custodial health care providers to establish a common approach to what may constitute 'special circumstances' warranting transfer for secondary and tertiary healthcare other than via Port Phillip Prison, and ensure that primary healthcare providers (in particular) are aware that this facility exists and when it may be recommended.*

DJCS supports and has implemented this recommendation.

In February 2019, Justice Health conducted a review of the Centralised Hospital Pathway by which prisoners access secondary and tertiary healthcare via Port Phillip Prison (PPP). The review led to the development of nine strategies aimed at improving flow and coordination of

healthcare, including using capacity in other front-end prisons and developing clinical escalation protocols for prisoners who refuse treatment due to a reluctance to be transferred to PPP. The escalation protocols set out what steps are to be taken when a prisoner's refusal of treatment via the Centralised Hospital Pathway poses an unacceptable clinical risk. This is determined following a comprehensive assessment by the Medical Officer treating the prisoner. In such instances, the matter is to be escalated to the Sentence Management Division to arrange direct transfer to the required hospital service, bypassing PPP.

Justice Health has requested changes to JCare to reflect the clinical escalation workflows.

***Recommendation 3** - That St Vincent's Correctional Health consult with Justice Health and consider revising the policy of removing prisoner patients from the outpatient waiting lists after two consecutive appointment cancellations since, at present, information about why an appointment was cancelled or by whom does not appear to be meaningfully collated.*

DJCS supports this recommendation and has consulted with St Vincent's Correctional Health (SVCH) about its implementation.

Justice Health consulted with SVCH regarding their development of a *Specialist Clinics Failure to Attend Guideline* and proposed the addition of a specific section relating to correctional patients. This section requires clinical staff to ascertain the reason for non-attendances. Where the reason is beyond the prisoner's control, the appointment will be rebooked. The Guideline also provides that correctional patients may only be discharged from the specialist clinic waitlist after signing a refusal/release of responsibility form.

Should you require any further information, please do not hesitate to contact Allison Will, Director, Justice Assurance and Review Office on 0437 458 158.

Yours sincerely



Rebecca Falkingham
Secretary

07/10/2020