



Department of Justice and Community Safety

Secretary

Level 26
121 Exhibition Street
Melbourne Victoria 3000
Telephone: (03) 9915 3759
www.justice.vic.gov.au

Our ref: 22080689
Your ref: COR 2017 001114 and COR 2017 003579

Coroner Darren Bracken
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

Dear Coroner Bracken

I refer to the findings and recommendations you delivered on 15 July 2022 about the deaths of Mr Wiki Lowe and Mr Noel Thomas at Karreenga Annexe on 7 March and 23 July 2017 respectively.

The Department of Justice and Community Safety (DJCS) has considered and accepts five of your six recommendations.

The intent of recommendation 5 has been actioned through reforms undertaken by DJCS, but the recommendation itself has not been accepted as it was described in your finding. Since the deaths of Mr Lowe and Mr Thomas, DJCS has established one clinical service (Forensic Intervention Services) within Corrections Victoria. Each prison location has a standardised process for distress referrals specific to that location, which clearly defines the separation from 'at risk' referrals and specifies that distress intervention is not a crisis service. The Forensic Intervention Service model addresses the intent of your recommendation.

In response to the *Royal Commission into Victoria's Mental Health Services* interim recommendations, DJCS is implementing a Hope Inside post-suicidal support service for those identified through the 'at risk' process. This service is based on the Hospital Outreach Post-suicidal Engagement Program (HOPE) community-based model. It offers therapeutic support to reduce the risk of further episodes of distress and to facilitate a prisoner's move back to mainstream placement. Hope Inside is due to commence at the Dame Phyllis Frost Centre, the Melbourne Assessment Prison and the Metropolitan Remand Centre in late 2022. DJCS will look to obtain further funding to support expansion to additional sites.

Described below are the actions DJCS has undertaken in response to the five accepted recommendations.

Recommendation 1 is accepted.

DJCS is committed to taking all steps necessary to strengthen its response to reducing the risk of suicide and self-harm in prison custody. Corrections Victoria's Security Standards Unit has undertaken a jurisdictional review of practices in other Australian states and territories, as well as looking at international jurisdictions to monitor the vital signs of prisoners. A report detailing the review's findings is anticipated to be finalised by the end of November 2022, at which time the findings and recommendations will be considered by Corrections Victoria's executive.

Recommendation 2 is accepted and actions to acquit the recommendation have been completed.

Corrections Victoria's policies regarding prisoner separation, transfer and placement were strengthened in 2017, and again in 2021. The transfer of prisoners between prison locations occurs when it is necessary to facilitate medical appointments or court appearances, for the safety of the prisoner and to ensure that prisoners are accommodated in the least restrictive environment necessary to manage their risks.

The introduction of Telehealth and expansion of Video Conferencing has seen a reduction in the number of transfers required for medical appointments and court appearances. However, the use of these services remains at the discretion of the medical provider or the Court.

Recommendation 3 is accepted and actions to acquit the recommendation have been completed.

Following a prisoner's reception into custody prison health service providers have a process in place to seek the prisoner's consent to request relevant Victorian and interstate medical records inclusive of prison or community, both primary and mental health – for the continuity of health care.

Recommendation 4 is accepted.

A central requirement detailed in Schedule 1.02 (8A) in *Deputy Commissioner's Instruction (DCI) 1.02* is that a Modified Risk Management Plan must be completed for each suicide/self-harm (S) risk rating movement at all prisons. Specific to Karreenga Annexe, since Mr Thomas' death, the Risk and Review Team now includes a more diverse multidisciplinary panel and a Local Operating Procedure, that is aligned with central policy.

Recommendation 6 is accepted and actions to acquit the recommendation have been completed.

Corrections Victoria's *Commissioner's Requirement (CR) 1.2.1 – External Prisoner Escort Arrangements* and *DCI 1.12 – External Escorts and Transfer of Prisoners* were amended and issued on 29 June 2022. These policies now clearly articulate that staff must escalate transport issues to the Operations Manager to raise with the prison's health service provider for a clinical assessment. This will enable staff to better determine the priority of the prisoner's health needs.

These policies also emphasise that custodial staff must not make a decision about the priority of a health transfer without a clinical assessment by the health service provider. Where clinical advice is that the transfer is urgent, alternative arrangements are to be made by the prison. *Schedule 1.12(10) Priority Health Escorts* has been introduced to record decisions made by all parties involved in the process.

The Sentence Management Manual's (SMM) PT1 Inter-prison and Police/Court Transfers was amended and issued on 1 August 2022. The SMM amendments were drafted in line with *CR 1.2.1* and *DCI 1.12*.

In addition, when a prisoner is transferred to a new prison site, an inter prison health assessment is completed by a health professional. The health professional is required to review the Fit for Transfer summary from the transferring prison and manually book appointments at the new prison site (noting that the new appointment dates will be different). The Forensicare Coordinator is responsible for triaging and booking appointments for Forensicare specialists/services. These requirements are included in health provider Local Operating Procedures or local site guides.

Should you require any further information, please contact the Office of the General Counsel at ogc@justice.vic.gov.au

Yours sincerely


Peta McCammon
Acting Secretary

20/10/2022