



## Department of Justice and Community Safety

Secretary

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Our ref: 22080411  
Your ref: COR 2018 001694

Coroner David Ryan  
Coroners Court of Victoria  
65 Kavanagh Street  
SOUTHBANK VIC 3006

Dear Coroner Ryan

I refer to your findings and recommendations delivered on 11 July 2022 about the death of Mr Mladen Jovanovski at The Alfred Hospital on 11 April 2018.

The Department of Justice and Community Safety (DJCS) has considered and accepts four of your six recommendations. Recommendations 4 and 5 are not accepted as described in your findings as the proposed system changes are not feasible. However, the intent of the recommendations have been actioned and acquitted.

To address recommendation 4, the process outlined in the amended *Commissioner's Requirement (CR) 1.2.1 – External Prisoner Escort Arrangements* and *Deputy Commissioner's Instruction (DCI) 1.12 – External Escorts and Transfer of Prisoners* has been updated, and now foreshadows the many situations where there may be a need for immediate referral to the health service provider, and provides prison staff with an escalation process. Health staff do not have access to update the Prisoner Information Management System (PIMS), nor can prison staff update PIMS as quickly as the discussions take place on the ground.

Regarding recommendation 5, PIMS is used to record both a high volume and significant range of prisoner movements, these include court returns, inter-prison and medical transfers, as well as other types of movements. To include alternate intermediate locations would significantly impact the escort coordination function for all prisoner movements.

However, the Sentence Management Manual PT1 Inter-prison and Police/Court Transfers was amended on 1 August 2022 to include a new requirement. In the event that Sentence Management Division (SMD) staff are unable to facilitate the transfer of a prisoner from a regional prison to their intermediate prison location to facilitate a scheduled medical appointment and there is no other alternative placement option available, SMD must refer the matter to the relevant Health Services Manager for a clinical assessment to assess priority health needs. These amendments satisfy the intent of this recommendation, without impacting the escort function for all other movements.

Recommendations 1, 2 and 3 are accepted, and actions to acquit these recommendations have been completed.

Corrections Victoria's *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 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.

In relation to recommendation three, there is an existing tool in JCare for use by clinical staff. The policy amendments noted above address the intent of this recommendation and negate the need for the creation of a specific tool for custodial staff. 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.

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

A new governance process has been established within Corrections and Justice Services, including both Corrections Victoria and Justice Health, to replace the lapsed processes. In addition, a monthly meeting has been established and is chaired by the Deputy Commissioner, Custodial Operations and attended by senior managers across Custodial Operations.

A consolidated list of all outstanding recommendations from internal and external reviews is discussed at this meeting, with the Deputy Commissioner referring any significant risks, along with impacting factors to the Commissioner, Corrections Victoria.

Should you require any further information, please contact the Office of the General Counsel at [ogc@justice.vic.gov.au](mailto:ogc@justice.vic.gov.au)

Yours sincerely



**Peta McCammon**  
Acting Secretary  
18/10/2022