



## VICTORIA POLICE

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Our ref: LEXD 909

Coroner Audrey Jamieson  
Coroners Court of Victoria  
65 Kavanagh Street  
SOUTHBANK VIC 3006

**Subject:** Vlado Micetic - Finding into death with inquest  
**Court Reference:** COR 2013 3776  
**Date of Recommendation:** 22 November 2022

Dear Coroner Jamieson

***Victoria Police response to recommendations arising from the Finding into the death of Vlado Micetic***

This letter provides the Chief Commissioner of Police's (CCP) response to the recommendation made in your Finding into the death of Vlado Micetic, delivered on 22 November 2022 (the **Finding**).

### **RECOMMENDATION**

The Finding delivered one recommendation, directed to the CCP:

*In the interests of promoting public health and safety and with the aim of preventing similar deaths, I recommend that the Chief Commissioner of Police develop and maintain a system to ensure that Victoria Police remains adequately informed about their members' fitness for duty. In particular, the system so devised or developed must ensure that their members are both physically and psychologically fit for duty without violating individual rights to privacy, amongst others.*

Victoria Police supports the Coroner's recommendation and has implemented several reform initiatives following Mr Micetic's death in 2013 in advance of her Honour's Findings being delivered, developed to ensure members of Victoria Police are physically and psychologically fit for duty.

This response outlines both reforms already implemented, and action being taken to implement additional reforms currently in development to ensure the Coroner's recommendation is fully implemented.

#### Operational Safety and Tactics Training (OSTT) Suspension Process

Victoria Police is committed to the health and safety of all employees and to providing a working environment that is safe and without risks to health.

Victoria Police introduced the OSTT suspension process in 2016. This process limits an employee's access to OSTT equipment and to perform operational duties wherever concerns arise regarding an employee's health or suitability to have access to equipment. The suspension process is detailed in Section 9 of the Victoria Police Manual - *Operational Safety and Tactics Training Qualifications*.

The main objectives of the OSTT suspension include both ensuring Victoria Police employees are supported when they need it most and maintaining safety in the workplace.

The OSTT suspension process can be enacted by Victoria Police members of Inspector rank or above (or equivalent Victorian Public Service employee seniority) in order to provide a time-limited opportunity to:

- Review an employee's welfare needs;
- Initiate an assessment by an appropriately qualified Victoria Police Mental Health Clinician; and
- Provide initial and ongoing support.

Once an employee's OSTT qualification has been suspended and the employee has been notified of the suspension, a mental health clinician from the Police Psychology Unit will contact the employee, generally within 48 hours. An OSTT Suspension Review Panel will also be held within the first 48 hours (excluding weekends) to discuss the circumstances surrounding the OSTT suspension and the wellbeing of the employee. A member cannot perform operational duties while their OSTT qualification is suspended.

In the event the OSTT suspension is not rescinded at the first OSTT Suspension Review Panel (**Panel**), which occurs within 48 hours, another panel will be convened within 7 days and then every 3 months or as required. The Panel will consider all available information from relevant parties like the Police Psychology Unit, Police Medical Officer, local management, and external treatment providers.

If an OSTT suspension is continued, Victoria Police ensure the employee is given appropriate time to recover or respond to any treatment, interventions, or education programs. Once the issues resulting in the OSTT suspension have been sufficiently resolved and there are no longer any risk concerns for the member, the OSTT suspension can be rescinded by the panel.

#### Drug and Alcohol Testing

Victoria Police's commitment to providing a safe work environment is also supported by its workplace drug and alcohol testing program, first introduced in August 2008 and revised in May 2021. It promotes a strong safety culture, and fosters healthy, safe and respectful behaviours in the workplace. The details of this program are set out in the Victoria Police Manual - *Alcohol and other drugs*.

The Drug and Alcohol Testing Unit (**DATU**) aims to ensure all employees are fit and ready for duty, and able to deliver an ethical and professional service to the community.

Victoria Police can test employees for the presence of alcohol or a drug of dependence pursuant to Part 5 of the *Victoria Police Act 2013* and the *Victoria Police Regulations 2014*. Notably, the regime for random drug testing across Victoria Police has significantly increased since 2013 and a specialised internal team has been created and are dedicated to implementing the regime across the organisation.

#### Health Surveillance

At the request of specific work units, Victoria Police Medical Advisory Unit (**MAU**) has implemented tests aimed to mitigate specific risks relevant to particular specialised units. These include, but are not limited to:

- Dive medicals for Search and Rescue;
- Audiometry and blood lead tests for firearms training/armoury staff; and

- Various tests across the Victoria Police Forensics Department to monitor exposure to chemicals.

These tests are implemented into specialised units of Victoria Police due to the nature of their work and comply with the legislative requirements applicable to that specialised unit. For example, the Airwing testing regime would have regard to the requirements of the Civil Aviation Safety Authority.

#### Medical Advisory Service

Victoria Police Medical Advisory Unit, through its Police Medical Officers (**PMOs**) have recently implemented the following services:

- Organisational Medical Advisory Service (**O-MAS**);
- Employee Medical Advisory Service (**E-MAS**); and
- Management Medical Advisory Service (**M-MAS**).

O-MAS, E-MAS and M-MAS provide expert medical advice for the organisation, employees and managers respectively. This advice aims to identify, prevent and manage organisational hazards, including the provision of support in managing suitable and safe return to work arrangements for any staff who are injured or ill.

#### Wellbeing Services

Victoria Police has an internal Wellbeing Services (**WBS**) unit to assist all employees with a range of welfare and mental health related issues. The services include the following specialist areas:

- Chaplaincy;
- Employee Assistance Program (EAP);
- Internal Witness Support;
- Peer Support;
- Police Psychology;
- Police Welfare; and
- OneLink.

The WBS provides support and education regarding management of mental health issues. It also provides all members with access to a 24/7 crisis line whereby access to a welfare officer and clinician can be provided for client management and follow-up.

WBS manages 850 peer support officers across the organisation who provide mental health support to the membership and 80 volunteer chaplains who provide pastoral care. The OneLink service provides confidential support to managers and employees regarding workplace harm, including referrals to other external support services. WBS also coordinates the two Employee Assistance Program providers where all employees can access unlimited confidential psychological counselling.

There are also various measures in place to monitor mental health issues across the organisation. Safe-t-net allows for supervisors to engage with employees regarding the potential psychological impact from various workplace exposures. Employee impact is rated on a five-point scale: (1 = No impact; 2 = Minor impact; 3 = Moderate impact; 4 = Significant impact; 5 = Severe impact). Those who are rated 5 (out of 5) or who are linked to certain critical incidents, are flagged to WBS. Once alerted, WBS provides a suitable response as well as ongoing follow-up to members involved.

### Police Medical Office (PMO) and Fitness for Work Assessments

A key function of the PMO is medically examining referred members to determine their “fitness for work” in accordance with the Enterprise Bargaining Agreement (**EBA**), with the specific recommendations listed at clause 119.8 of the EBA.

The 'direction to attend' is a process whereby a manager can refer a Victoria Police member to the MAU in circumstances they are concerned about a member's fitness for duty.

As part of this referral the MAU makes an assessment of the member's fitness for duty and is able to refer that member for specialist tests which may fall outside of the scope of the initial referral.

Since 2013, Victoria Police has developed and expanded the internal medical guidelines that relate directly to the role of Police and Protective Service Officers. These guidelines have resulted in the PMO being more informed about the assessment and identification of physical and mental health related issues of Victoria Police members.

The role of the PMO is to examine the member (in collaboration with their treating practitioner/s where consent is provided) and recommends the member is able to either:

- Return to the full duties of their current position;
- Return to duty with medical limitations; or
- Cannot return to duties at the current time (and/or likely to continue indefinitely to have no work capacity).

The criteria for referral to the PMO is located within Clause 119.2 of the EBA.

The PMO also undertakes medical assessments to provide fitness for duty recommendation/s outside of the EBA such as Special Operations Group and Bomb Response Unit applicants. The PMO is a major internal resource within the organisation that is designed to specifically provide fitness for duty advice (as discussed above).

PMOs also deliver services at paragraphs (17) and (18) above.

It is noted that no provision for ongoing health surveillance or monitoring by the PMO forms part of Section 119 of the EBA. Health surveillance is discussed elsewhere in this letter and is supported by the MAU.

A number of PMOs are also Medical Review Officers (**MROs**) who analyse drug and alcohol testing results and provide advice to the organisation regarding drug and alcohol policy (see further at paragraphs 12 - 14).

### WorkCover Taskforce

In terms of ongoing reform, from 2023 Victoria Police will be implementing Multidisciplinary Teams (**MDTs**) across the organisation. This is part of a WorkCover Taskforce initiative to assist in early identification of issues affecting members' fitness for duty and address rising mental and physical injuries in the workplace.

The MDTs will deliver proactive and preventative mental health support to employees in a decentralised hub model, to promote help-seeking and reduce mental health stigma across the organisation. This will be achieved through regular onsite access to a range of mental health professionals, including clinicians and injury management consultants.

The MDTs will also have a role in upskilling, training and coaching managers in:

- identifying early signs of mental health issues; and
- the ongoing management and support required by members.

Occupational Health and Safety (OHS) Amendments

Victoria Police anticipates the introduction of the OHS Amendment (Psychological Health) Regulations in 2023, which will place additional requirements on Victoria Police to have processes in place to prevent and mitigate psychosocial hazards.

Victoria Police has been proactive in preparing itself organisationally for compliance upon the introduction of these amendments. It is actively working with WorkSafe Victoria to develop an industry specific guide for emergency service organisations to implement the necessary reforms.

Victoria Police anticipates it will implement a risk management process to identify and control psychosocial hazards and develop written prevention plans for these hazards in the near future. These controls will encompass initiatives and programs to support employee mental health to ensure they are equipped with the necessary supports to perform their role, are fit to perform their role and minimise exposure to psychosocial hazards in the workplace.

Yours sincerely,



Shane Patton APM  
Chief Commissioner

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