



VICTORIA POLICE

**Shane Patton APM**  
**Chief Commissioner of Police**

Victoria Police Centre  
311 Spencer Street  
Docklands Victoria  
3008 Australia

Telephone +61 3 8335 6400

P.O. Box 913  
Melbourne Victoria 3001 Australia

Our Ref: LEXD 24751



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

**Subject:** Darren Ricky Culleton - Finding into death with Inquest  
**Court Reference:** COR 2021 0740  
**Date of Recommendations:** 14 September 2023

Dear Coroner Ryan

### **Response to recommendations in the Finding into the Death of Darren Ricky Culleton**

This document provides the response to your recommendations as they relate to Victoria Police, arising from the Finding into the death of Darren Ricky Culleton, delivered on 14 September 2023.

***Recommendation (a): That Victoria Police create a policy and guideline in relation to the appropriate use in custody facilities of coveralls and suicide-resistant gowns***

This recommendation is accepted.

In early 2023, the Custody Capability Unit began a review of *VPM Management of people in police care or custody* with the new VPM expected to be published in the first quarter of 2024. The new VPM includes a section dedicated to the management of people in police care or custody who are at risk of suicide or self-harm. This addresses the appropriate use of suicide-resistant gowns and directs that disposable coveralls must never be provided to any person at risk of suicide or self-harm.

Communication with members and custody staff regarding appropriate use of suicide-resistant gowns and disposable coveralls was re-released and the new VPM reviewed to incorporate recommendations from the Coroner following the death of Darren Culleton.

Further communications (including a poster which can be placed near the overall storage area) will be released prior to the new policy being published as a reminder to the workforce regarding the management of people at risk of suicide or self-harm whilst in police care or custody.

***Recommendation (b)(i): That Custody Management Division of Victoria Police engage with MCC and the Custodial Health Service to review the arrangements and requirements for transfer of prisoners from a police station to MCC to clarify with specificity the documents that are required to be prepared by Victoria Police when the basis of the transfer is that the facilities at the police station are inadequate***

The recommendation is accepted.

Victoria Police, Custodial Health Service (CHS) and Melbourne Custody Centre (MCC) have reviewed the requirements and arrangements for transfer of people to MCC in circumstances where it has been identified that the facilities are inadequate, specifically when considering medical care. An 'Attention Lodging Members' PDF has been agreed between Victoria Police and MCC listing circumstances where a person may be transferred to MCC, including prior to paperwork being completed. This has been distributed to all regions that may need to transfer prisoners to MCC.

This direction and information has been incorporated into the policy review scheduled to be published during the first quarter of 2024.

This direction instructs that Victoria Police members and Police Custody Officers (PCOs) must consult with CHAL and the G4S shift supervisor prior to transfer to MCC.

Further, the Custody Management Division will determine and specify the documents required to transfer a person from a police detention facility to the MCC, including the expected timeframes that these documents may take to lodge. This will be communicated to members, custody staff, and staff from both CHS and MCC.

Amongst other things, the new policy will address: the transportation of people in police vehicles and the time people are kept in vehicles; advice on placement of people within police facilities or MCC when in police care or control under the *Mental Health and Wellbeing Act 2022*; and transfer to MCC if specific needs/care necessitates a transfer.

***Recommendation (b)(ii): That Custody Management Division of Victoria Police engage with MCC and the Custodial Health Service to review the arrangements and requirements for transfer of prisoners from a police station to MCC to clarify the circumstances in which a transfer may occur on medical grounds (i.e., the health services available at MCC are required) and what documents, if any, are required to be prepared by Victoria Police.***

The recommendation is accepted.

Custody Capability, CHS and MCC have reviewed the requirements and arrangements for transferring people to MCC where it is identified that the facilities are inadequate in respect to the prisoner's medical care.

As transfers for medical reasons are often determined on a case-by-case basis, CHS does not recommend itemising exact circumstances of transfer as this could be too proscriptive, and potentially exclude people who do not meet these exact circumstances but, nonetheless, may actually require transfers to more appropriate facilities.

Under the proposed new VPM:

- if custody staff consider a person may require transfer to MCC on medical grounds, custody staff must consult with CHAL, Custody Operations and Logistics and the MCC shift manager;
- advice from CHAL on how to manage a detainee is to be recorded as a medical observation; and

- members and PCOs must record all information relating to medical observations on the Attendance or Custody Module

In addition to the proposed VPM, guidelines have been developed identifying circumstances where a person may be transferred to MCC including transfer prior to paperwork being completed and this guideline has been endorsed by Victoria Police and MCC representatives. The guideline was distributed on 15 November 2023 to all regions that may require transfer to MCC.

***Recommendation (c): That Victoria Police review the training provided to police members and Police Custody Officers to guard against perceived hierarchical barriers which may inhibit the communication of relevant and valuable information concerning the welfare of people in custody***

This recommendation is accepted.

The current Foundation Training Division training material and Promotional Programs material delivered to Police and PCOs will be updated to reflect the new policy and guidelines relevant to recommendations 9b(i) and (ii) and will also be reviewed as it pertains to any perceived hierarchical barriers which may inhibit communication of relevant and valuable information concerning the welfare of people in custody.

***Recommendation (d): That Victoria Police review the training provided to police members and Police Custody Officers to ensure that relevant information recorded on the LEAP system relating to the risks attaching to a person brought into custody is efficiently shared with all officers necessary to appropriately manage that person's welfare and safety***

This recommendation is accepted.

The current Foundation Training Division training material and Promotional Programs material delivered to Police and Police Custody Officers will be reviewed as it pertains to:

- any relevant information recorded on the LEAP system relating to the risks attaching to a person brought into custody; and
- efficient communication of that information with staff and stakeholders (eg Ambulance Victoria) who have a clear need to have access to that information to appropriately manage that person's welfare and safety,

with the aim of ensuring timely recording of information in LEAP (and the custody record) and ensuring that key welfare information is communicated to those who need to know it.

Yours sincerely



Shane Patton APM  
Chief Commissioner

17/1 / 2024