



## VICTORIA POLICE

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

Our Ref: FF-247466

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Deputy State Coroner Spanos  
Coroners Court of Victoria  
65 Kavanagh Street  
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**Subject:** Ricky James Broughton- Finding into death with Inquest  
**Court Reference:** COR 2018 002064  
**Date of recommendations:** 8 December 2023

Dear Deputy State Coroner Spanos,

Thank you for the opportunity to respond to the recommendations in the Finding into the Death of Ricky Broughton, delivered on 8 December 2023. This document provides the response to the recommendations as they relate to Victoria Police.

**Recommendation 1: That, given the recent entry into force of the new Mental Health and Wellbeing Act 2022, the Department of Health consider, in consultation with Victoria Police and Ambulance Victoria, the need to revise the Protocol for the transport of people with mental illness to ensure its guidance to clinical and emergency service responders is sufficiently clear to enable decisions to be made about the conditions under which a mentally unwell person is transported to or from a designated mental health service consistent with the principle of least restrictive practice. In particular, it appears that clarification of the distinction between 'police involvement' and 'police transport' may be required.**

From the perspective of Victoria Police, this recommendation is accepted. However, we note that the Department of Health is responsible for leading this work.

Victoria Police is already working with the Department of Health and Ambulance Victoria to revise both the *Department of Health – Victoria Police protocol for mental health* and the *Ambulance Victoria Protocol for the transport of people with mental illness* to ensure alignment with the new *Mental Health and Wellbeing Act 2022*. This includes guidance regarding the least restrictive approach principle and its application to the transport of people in mental health crisis.

Victoria Police would expect that both these protocols will be finalised and published in 2024, however, finalisation is reliant on Department of Health as the lead agency.

**Recommendation 2: That the Chief Commissioner of Victoria Police consider the need to clarify, reinforce or enhance the guidance and/or training provided to its members to equip them to respond to life-threatening emergencies in a person in their care or custody, in particular:**

- a) Recognition and response to a deterioration in their state;**
- b) Management of an unconscious person;**
- c) When to commence CPR; and**
- d) Coordination of effort by multiple responding members;**

Victoria Police accepts this recommendation. People Development Command has considered the current training and systems. We are confident that recent and current continuous improvement and review processes are adequate in ensuring contemporary and appropriate training is provided to police members regarding safe custody practices and response in emergency situations.

In relation to responding to life-threatening situations, all Police members are required to maintain a Level 1 First Aid qualification. This training covers all aspects of recommendation 2 and is currently delivered by St John Victoria across the organisation and is not specific to custody or care situations but relevant to all situations in which police may encounter a person with deteriorating health. Police members, PSOs and Police Custody Officers are all required to re-qualify in Level 1 First Aid at least every three years. Victoria Police rely on subject matter experts such as St John to deliver this training in line with industry standards. First Aid training often includes scenario-based training that is done in pairs or small groups where the coordination of first aid efforts between students is included.

Police members are provided with significant training in relation to safe custody practices during foundation training. These sessions are designed to clarify and reinforce Victoria Police policy regarding custody management, risk management and death in custody awareness and includes:

- Identifying the risks associated with persons in custody.
- Outline the detainee risk assessment process, including the medical check list and levels of observation.
- Different custody types / situations.
- Identifying the risks associated with alcohol affected persons in custody.
- Be able to care for alcohol affected persons whilst in custody expected level of care.
- Welfare checks and the minimum timeframe between each.

It should be noted that Victoria Police actively updates its curriculum with new case studies. Current training includes case studies from previous coronial matters, where errors in judgement are addressed and better treatment options are discussed. There is also a specific session focused on the interaction and use of the Custodial Health Advice Line including use of ISOBAR to support communications with Custodial Health and Ambulance Victoria in the case of emergency and deteriorating health of a person in custody. These training sessions are subject to a robust continuous improvement process and are regularly evaluated and updated with contemporary policy and learnings.

Additionally, there are current Victoria Police Learning Hub e-learning packages providing guidance in relation to accountabilities and responsibilities for persons in custody. These e-learning packages are mandatory for the respective relevant cohorts and have been rolled out across the organisation from 2018 for police, supervisors and custody officers.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Shane Patton'.

Shane Patton APM  
**Chief Commissioner**

4/3/24