



## Secretary

Department of Health

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Coroner David Ryan  
Coroners Court of Victoria  
**Via e-mail:** [cpuresponses@coronerscourt.vic.gov.au](mailto:cpuresponses@coronerscourt.vic.gov.au)

Dear Coroner Ryan

I refer to your findings and recommendations dated 5 October 2023, following the inquest held into the death of Ruby-Lee Gold. I acknowledge the due date for this response was 9 February 2024 and I apologise for the delay in responding to you. Thank you for granting an extended due date to 4 March 2024.

There is much for us to learn from Ruby's death. I extend my deepest condolences to her family and loved ones.

Your findings make the following recommendation:

*The Department of Justice and Community Safety and the Department Health implement a system to enable Corrections Victoria (or a suitable contractor) to undertake the role of transporting persons released from custody on an assessment order under the Mental Health and Wellbeing Act 2022 to a designated mental health service.*

While I understand the rationale for this recommendation, the Department of Health (the department) does not agree with it. Explicitly, I do not believe that alternative transporters per se would have necessarily led to a different outcome for Ruby.

Instead, I consider that improved outcomes are more likely to be achieved through better planning and processes prior to release, including better integration and care planning by Corrections Victoria, Forensicare and the receiving mental health provider. This may include improved access to mental health care while in the custodial setting, earlier referrals, collaborative pre-planning and discharge processes, and better information sharing between service providers. Such planning should include better engagement with and support from other social service providers, in particular housing and accommodation supports.

With regard to transport specifically, the department does not disagree that a suitable contractor could undertake the role of transporting persons released from custody on an assessment order under the Mental Health and Wellbeing Act 2022 (the Act). If this were to be done, the department maintains that any alternative transport option should be led by health professionals and support a least restrictive approach to transport. This is in line with section 228 of the Act that requires that powers of authorised persons must be exercised or informed by authorised health professionals as far as is reasonably practicable in the circumstances. It is also in line with recommendation 10 of the Royal Commission into Victoria's Mental Health System that responding to people experiencing time-critical mental health crises be led by health professionals wherever possible.

In circumstances where additional support during transportation may be required due to safety concerns, an alternative to Victoria Police may be feasible. This would require appropriate powers and safeguards to be developed. There may also be opportunities to reduce the need for security support through improved planning processes prior to release which aim to de-escalate any concerns or behavioural issues from consumers.

My department will continue to work with Forensicare, the Department of Justice and Community Safety, Ambulance Victoria and Victoria Police to explore improvements to mental health pathways for people leaving the custodial setting.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Euan M Wallace', is written over a light grey rectangular background.

**Professor Euan M Wallace AM**

Secretary

04/03/2024