



VICTORIA POLICE

Graham Ashton AM
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Our Ref: FF-105421

Coroner Rosemary Carlin
Coroner's Court Victoria
65 Kavanagh Street
SOUTHBANK Vic 3006

Dear Coroner Carlin,

Subject: [REDACTED]
Case No: COR 2014 004172
Date of Rec: 11th March 2016

Victoria Police response to recommendations arising from the Inquest into the death of [REDACTED]

This document provides the Victoria Police response to the State Coroner's recommendation directed at the Chief Commissioner of Police (recommendation 1 and 2), arising from the Inquest into the death of [REDACTED] at Sarsfield, Victoria on 15 August 2014.

RECOMMENDATION 1

Pursuant to section 72(2) of the Coroners Act 2008, I make the following recommendations connected with the death: That the Licensing and Regulation Division of Victoria implement a system whereby answers to relevant questions on firearms licence applications are compared to the same answers on previous applications.

(1) *Answers on Firearm Applications Compared to Previous Applications*

The Coroner's recommendation that Victoria Police's Licensing and Regulation Division (LDR) 'implement a system whereby answers to relevant questions on firearms licence applications are compared to the same answers on previous applications' is supported.

This recommendation is currently under consideration by LRD with an aim to review the current process and the system changes that will be required. The improvement will aim to trigger an alert to the processor which will enable them to make further enquiries. This will be facilitated by incorporating an identifier against any application that has previously made a medical history declaration when applying for a firearm licence.

RECOMMENDATION 2

Pursuant to section 72(2) of the Coroners Act 2008, I make the following recommendations connected with the death: That the Licensing and Regulation Division of Victoria Police give further consideration to amending its firearm licence application process to require all applications to submit a report from a treating health professional as to their fitness to hold a firearms licence.

(2) Consider Further Amendment to Require Mental Health Report in Firearm Application

The Coroner's recommendation that Victoria Police's Licensing and Regulation Division (LDR) 'give further consideration to amending its firearm licence application process to require all applicants to submit a report from a treating health professional as to their fitness to hold a firearms licence' is unable to be implemented at this time.

The *Firearms Act* 1996 does not currently support a request for a medical report upon application therefore cannot be implemented without a change to the legislation. However, LDR will engage in discussions with Department of Justice and Regulation on the viability of this legislative change.

Further, there are currently supportive processes in place within LDR's standard operating procedures, policies and letter processes which address this recommendation. These include:

- Processing Staff assessing medical reports are instructed to ensure all relevant information from the medical practitioner is included. Intelligence holdings and diary notes recorded on the Licensing and Registration System contribute to the overall assessments of each applicant's suitability and will trigger enquiries to be made by LRD.
- If a medical concern arises in the Assessment and Determination Unit during the processing of applications, it will be referred to the LRD for further investigation. LRD can also seek specialist advice from an independent medical practitioner if necessary.
- Variable licences for individuals with a mental illness are currently in place. These include shorter licencing periods making reassessment more frequent or imposing conditions on licences where necessary.
- In December 2014 LRD also implemented and published 'The role of health professionals in the firearm licencing processes' which was reviewed and updated in February 2016. This is a guide to inform health professionals on how and when they should voluntarily report a patient they've deemed not suitable to hold a firearm licence to police.
- In April 2016 LRD met with Dr Rohan Wee from the Australia New Zealand Society for Geriatric Medicine (ANZGM) to discuss firearm licencing relating to reporting requirements for patients with dementia who hold licences. LRD provided information about the process of removing the firearms of people with deteriorating dementia.

LRD continue to review and improve processes and have identified the timely detection of mental health issues, early intervention and voluntary reporting by health practitioners as the key issue here.

Yours sincerely

A handwritten signature in black ink, consisting of several overlapping loops and a trailing flourish.

Graham Ashton AM
Chief Commissioner

11 / 8 / 16