

OUR REF: CD/21/7663

2 July 2021

Coroner Jacqui Hawkins
Coroners Court of Victoria
By email: cpuresponses@coronerscourt.vic.gov.au

Dear Ms Hawkins

RE: findings into the death of Spiros Boursinos (reference COR 2018 005273)

I refer to your findings into the death of Mr Spiros Boursinos and the letter from the Coroners Court of Victoria to the Victorian Commission for Gambling and Liquor Regulation (**VCGLR**) dated 29 April 2021.

The VCGLR aims to ensure that Victorians and visitors enjoy safe and responsible liquor environments. We acknowledge the tragic circumstances of Mr Boursinos' death and welcome the opportunity to respond to your recommendations. I understand your recommendations aim to provide those working in the liquor industry with greater awareness of the risks associated with managing people who experience mental health or drug-affected episodes and aggressive type behaviours and the risks associated with apprehension and physical restraint.

The VCGLR has discussed the recommendations with the Department of Justice and Community Safety (**DJCS**). We have agreed that a suitable approach would involve both the VCGLR and DJCS working in partnership to implement the two recommendations ensuring a comprehensive and consistent response. Further information about the proposed response is provided below.

Coroner's recommendation One

I recommend that the Chief Executive Officer of Victorian Commission for Gambling and Liquor Regulation as part of an awareness campaign, arrange for the production of a Safety Alert/Guidance Note explaining the risks and dangers associated with managing people who experience mental health episodes and aggressive type behaviours, and the risks associated with the apprehension and physical restraint of these types of people, and arrange for its distribution to all licenced bar owners to alert them of these issues.

VCGLR response to recommendation one

The recommendation will be implemented as soon as practicable. The VCGLR will work with DJCS on its implementation. External advice will be sought to assist with the development of such a guidance note.

Coroner's recommendation two

I recommend the Secretary of the Department of Justice and Community Safety arrange to amend the Responsible Service of Alcohol Training to include information about how to recognise and manage:

- a. a person who may be experiencing a mental health or drug-related episode; and*
- b. the dangers and risks associated with physical restraint.*

VCGLR response to recommendation two

The recommendation will be implemented in principle as soon as practicable. The VCGLR will work with DJCS on its implementation and external advice will be sought to assist with its development where required.

In considering the response, it is relevant to note that several courses form part of the overall Responsible Service of Alcohol (**RSA**) training: initial training, refresher/bridging training¹ and advanced training.

New entrant training is also required for certain people associated with a proposed liquor licence prior to it being granted to ensure adequate knowledge of legislation and best practice management of venues.

In 2020 the VCGLR approved the national RSA training unit of competency SITHFAB002 as accredited by Australian Skills Quality Authority (**ASQA**) as they approved initial training course, consistent with other Australian jurisdictions. Accordingly, the VCGLR does not have the direct ability to modify the content of this initial RSA course.

The following actions will be undertaken to implement the recommendation:

- i. writing to ASQA to outline your findings and recommendations, and to request it consider amending the nationally accredited initial online and face-to-face RSA course (including assessment questions) to incorporate the training elements in your recommendation; and
- ii. amending the existing (VCGLR controlled) refresher/bridging online RSA course (including assessment questions) to incorporate the training elements in your recommendation.

To be considered further:

- iii. reviewing the advanced RSA course²
- iv. reviewing the new entrant training course.

If you have any questions or require any further information, please feel free to contact me.

Yours sincerely,



Catherine Myers
Chief Executive Officer

cc: John Batho Deputy Secretary, Department of Justice and Community Safety
Joel Williams, Executive Director, Liquor and Gaming, Department of Justice and Community Safety

¹ The content for these courses is presently the same.

² Noting that the course is delivered by William Angliss and already contains some information relating to physical restraint and vulnerable people (such as those who appear to be drug affected and/or mentally unwell).