



Department of Justice and Community Safety

Secretary

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Ms Alice Wickett
Coroner's Registrar
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

By email: cpuresponses@coronerscourt.vic.gov.au

Dear Ms Wickett

COR 2018 005273 – INVESTIGATION INTO THE DEATH OF SPIROS BOURSINOS

I refer to your letter of 29 April 2021 enclosing a copy of Coroner Jacqui Hawkins' Finding with Inquest (the Finding) into the tragic death of Spiros Boursinos in 2018.

The Department of Justice and Community Safety (DJCS) has been working with the Victorian Commission for Gambling and Liquor Regulation (VCGLR) to respond to the two recommendations at paragraph 156 of the Finding. It has been agreed DJCS and the VCGLR will work together on both recommendations to ensure a comprehensive and consistent approach. Our proposed responses for each recommendation are outlined below.

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.*

The Coroner's recommendation will be implemented.

This recommendation will be implemented as soon as practicable by the VCGLR, working with DJCS and seeking relevant external advice.

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.*

The Coroner's recommendation will be implemented.

The VCGLR is responsible for the content of Responsible Service of Alcohol (RSA) training, as such the department will work closely with the VCGLR to implementing and acquit this recommendation.

I understand the VCGLR will also advise you that there are several courses included in RSA training: initial training, refresher/bridging training (the content for these courses is currently the same) and advanced training. New entrant training is an additional training standard developed by the VCGLR to ensure all liquor licence applicants have an adequate knowledge of legislation and best practice management of venues.

In 2020, the VCGLR approved the national RSA training unit of competency SITHFAB002 (undertaken face-to-face or online) as accredited by Australian Skills Quality Authority (ASQA) to be the only recognised initial RSA training in Victoria, consistent with other Australian jurisdictions. Accordingly, the VCGLR does not have the direct ability to modify the content of the initial training.

Having regard for this, the VCGLR and DJCS have developed the following proposal as being the most appropriate way to implement this recommendation:

To be implemented/actioned in the first instance:

- i. writing to ASQA to outline your finding 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 course, 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)
- iv. reviewing the new entrant training course.

Thank you for providing Coroner Hawkins' Finding and her recommendations on this important matter. DJCS will continue to work with the VCGLR to implement the recommendations to minimise harm and provide a safer environment for patrons and staff in the late-night licensed hospitality industry.

If you require further information, please contact Mr Joel Williams, Executive Director, Gaming and Liquor, DJCS via email to Joel.Williams@justice.vic.gov.au.

Yours sincerely



Rebecca Falkingham
Secretary

14/07/2021

CC: Catherine Myers, CEO, VCGLR