

28 April 2023

Coroner Simon McGregor  
Coroners Court of Victoria  
65 Kavanagh Street,  
Southbank, VIC 3006

**Via email:** [cpuresponses@coronerscourt.vic.gov.au](mailto:cpuresponses@coronerscourt.vic.gov.au)

Dear Coroner McGregor,

### **COR 2020 000021 Investigation into the death of Veronica Nelson**

I acknowledge receipt of the Coronial Findings dated 30 January 2023 and note the recommendations directed towards the Magistrates' Court of Victoria (**MCV**). The MCV is committed to improving cultural safety and supports for Aboriginal and Torres Strait Islander accused appearing before it. To that end, and in accordance with section 72(3) of the *Coroners Act 2008*, I make the following response to your recommendations.

#### **Recommendation 13**

The Court Integrated Services Program (**CISP**) is a court support program involving case management, linkages with community services and judicial supervision. The program aims to reduce the likelihood of people re-offending by assisting them to access support services. Eligibility criteria, referral processes and locations are available on the MCV's website. CISP is currently available for approximately 95 per cent of bail hearings heard across the state. The Bail and Remand Court (**BaRC**) sits at Melbourne Magistrates' Court (**MMC**) between 10:00am and 9:00pm seven days a week, including public holidays. CISP staff are available at all times the MMC is open, including all BaRC sessions, seven days per week.

MCV operates at 51 locations within Victoria. Some regional courts do not sit every weekday, and some courts do not hear bail applications every day.

There are currently approximately 70 CISP Case Managers employed across all 12 headquarter courts and seven satellite courts. CISP case managers also provide support at two outreach locations as needed. This allocation across the MCV reflects current resourcing provided to the Court for CISP services. MCV notes that not all court locations have community supports available to support the provision of CISP. MCV will continue to explore opportunities to address gaps in service provision.

In order to enhance support for vulnerable court users, including Aboriginal and Torres Strait Islander accused in custody, in October 2021 MCV introduced a Navigation and Triage Pilot Program (**Navigation Pilot**) at MMC. This pilot program is being expanded to Sunshine and Bendigo Magistrates' Courts. The purpose of the Navigation Pilot is to triage the support needs of people coming before the Court. It provides comprehensive advice to judiciary, court staff, lawyers, and other stakeholders regarding the options available to meet the court user's support needs either in the community and/or through mainstream court support or specialist courts.

Approximately 30 per cent of those referred to the Navigation Pilot are Aboriginal or Torres Strait Islander. The Navigation Pilot includes a dedicated Koori Support Practitioner role, which has been designed to provide cultural support, linkages to community services and to work alongside CISP, Assessment and Referral Court and Koori Court staff who are working with Aboriginal and Torres Strait Islander people.

#### **Recommendation 14**

MCV is committed to employing Aboriginal and Torres Strait Islander staff to provide assistance and support to Aboriginal and Torres Strait Islander court users, including people who are before the Court in custody. MCV has commenced discussions with Aboriginal Justice Caucus, Courts Koori Committee and the Regional Aboriginal Justice Advisory Committees and other key stakeholders about service delivery changes to better meet the needs of Aboriginal and Torres Strait Islander people at court. These conversations are being led by MCV's Supervising Magistrate for Koori Justice and MCV's newly created executive position of Director of Koori Strategy and Engagement.

There are challenges attracting and retaining Aboriginal and Torres Strait Islander staff across the community services and the justice system. MCV is working with Court Services Victoria (**CSV**) to address these challenges through CSV's Koori Employment Plan and Self-Determination Plans. These Plans include a re-evaluation of relevant employment targets and engagement with current staff. Cultural support and safety will be a priority for MCV in the implementation of these Plans.

Early identification is central to the timely notification of Aboriginal and Torres Strait Islander people presenting at court. To improve MCV's ability to ensure early identification, the Court is making changes to its current electronic case register, Courtlink. We anticipate that the Courtlink changes will be implemented by the middle of this year. This data will help inform what services and supports are required to enhance the experiences of Aboriginal and Torres Strait Islander people appearing before the Court.

#### **Recommendation 15**

MCV's data collection capacity is currently restricted by the limitations of the Courtlink system. In the lead up to the release of the new Case Management System, the Court will identify and, where possible, pursue opportunities to collect data on the racial and cultural identity of court users.

At present, it is not possible for Courtlink to capture the number of people charged with an offence to which the exceptional circumstances and compelling reasons tests apply. The Court will explore opportunities to improve this data capture.

In addition, MCV will work with Victoria Police to discuss changes to charge-sheets to improve the efficient transfer of information between Victoria Police and MCV. Most criminal proceedings at MCV

are commenced by charge-sheet, and if they included cultural identity information (if known), it would contribute to comprehensive data capture and help ensure cultural support is offered to Aboriginal and Torres Strait Islander people at the earliest possible opportunity.

MCV is committed to improving outcomes for Aboriginal and Torres Strait Islander people who come into contact with the justice system. The MCV will continue to work with community, government and stakeholders to further this commitment.

Kind regards,

A handwritten signature in blue ink, appearing to read 'Simon Hollingsworth', with a long horizontal stroke extending to the right.

**Simon Hollingsworth**  
**Chief Executive Officer**  
Magistrates' Court of Victoria