



G4S Custodial Services Pty Ltd

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02 October 2024

Coroner David Ryan
Coroner's Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

BY EMAIL

Dear Coroner Ryan

**Investigation into the passing of Joshua Kerr
Coroner's Court Reference: COR 2022 004536**

We refer to your findings and recommendations delivered on 1 July 2024 relating to the death of Joshua Kerr at Port Phillip Prison (**PPP**) on 10 August 2022.

G4S Custodial Services Pty Ltd (**G4S**) is the operator of PPP.

Coroner Ryan made 7 recommendations arising from the circumstances of Mr Kerr's death. To assist with understanding this response to the Coroner's recommendations, G4S makes the following observations and comments:

1. PPP is a maximum-security men's prison with a current capacity to accommodate 1087 prisoners.
2. St Vincent's Hospital Melbourne (**SVHM**) provides primary health services at PPP through its St Vincent's Correctional Health Service (**SVCHS**).
3. G4S promotes a collaborative and integrated approach to managing prisoners safety and security risks at PPP.
4. PPP operates in accordance with various Operational Instructions (**OI**), which G4S staff and partners are required to comply with in their day-to-day activities.

Recommendation 1

G4S and SVCHS staff receive training to assist them in recognising and managing drug affected prisoners, including those who may be experiencing ABD and drug toxicity, and its effect on their decision-making capacity.

G4S staff, who provide custody and security services at PPP, are not clinically trained.

As references in the statement dated 2 February 2024 of Puipaa Ma'a, General Manager of PPP, since the death of Mr Kerr G4S has made changes made to OI 45 – Known or Suspected Drug Ingestion.

As of 11 September 2023, OI 45 provides a non-exhaustive list of the signs and symptoms of drug overdose and the procedure which ought to be followed in circumstances where ingestion or secretion of an illicit substance is suspected. G4S correctional staff are required to constantly supervise the prisoner until they are assessed by SVCHS staff. Once the prisoner is assessed by

SVCHS staff, SVCHS staff will decide whether the prisoner requires transfer to the emergency department.

Further, OI 45 now specifically deals with circumstances where a prisoner has returned from an external escort, and the escort staff are aware or suspect that the prisoner has ingested a substance. This section states that the escort staff are to hand over all relevant information to health staff. The section also states that the prisoner will be admitted to the St John's Unit until such time they are medically cleared by the treating 's SVCHS Medical Officer. The prisoner's bed allocation whilst in the St John's Unit will be determined by the SVCHS Nurse in Charge in consultation with the G4S Duty Manager.

Mr Ma'a's statement confirms that SVHM, in collaboration with G4S have developed a flowchart which relates to the management of custodial patients in the emergency department with escalating behaviours of concern. The flowchart outlines, among other things, how prisoners who are presenting with behaviours of concern are to be managed with regard to whether they can be de-escalated, and whether their care requirements could be met in a correctional setting.

The Initial Training Course completed by new G4S correctional officers now includes the signs and symptoms of ABD. Additionally, G4S is presently in the process of developing an online, self-directed learning package in relation to prisoners presenting with an ABD. G4S anticipates that this training package will be available from the end of October 2024.

Recommendation 2

SVCHS receive training about the practical application of the Acute Poisoning Management Guideline.

This recommendation does not apply to G4S.

Recommendation 3

SVCHS staff receive training to reinforce their authority and responsibility to advocate for the treatment of prisoners in their care and to escalate where appropriate.

This recommendation does not apply to G4S.

Recommendation 4

G4S TOG staff receive training about the importance of consulting with medical staff prior to cancellation of a medical escort.

G4S recognises the importance of appropriate communication between its TOG staff (or other escorting officers) attending a medical escort prior to the cancellation of an escort. Respectfully, the obligation to appropriately communicate prior to the cancellation of an escort is one for both G4S and the relevant staff of the health service. This includes medical staff, as well as other health practitioners and administrative staff of the health service.

G4S staff attending an escort are doing so to facilitate the opportunity for a prisoner to receive health treatment. The intersection of the legal issues or implications between the provision of security services (provided by G4S) and health services can be complex, particularly where there may be concerns about disclosure of health information.

G4S' staff are required to balance the risks of interpersonal violence in a non-custodial location that is not a custodial setting, and the risks to the prisoner, the staff at the health service, the public and themselves.

G4S staff have been instructed that in circumstances where G4S staff conduct a dynamic security risk assessment and consider it may be necessary to cancel an escort, those staff are required to discuss their concerns with the with health staff at the location, if safe to do so, in order to obtain any

necessary information or input from those health staff regarding the prisoners health needs, prior to the cancellation of the escort.. This process will not circumvent the requirement for the health service to provide a formal discharge summary to enable continuity of health care to the prisoner.

Recommendation 5

SVHM ED staff receive training about the limitations of providing medical treatment in prison; the benefit of communication of a prisoner's treatment plan with escorting correctional staff; and the importance of prompt preparation of a discharge summary including the treatment plan.

This recommendation does not apply to G4S.

Recommendation 6

G4S staff receive training about the circumstances in which they can exercise individual discretion to allow medical staff to enter a cell to provide a prisoner with medical treatment.

G4S considers its practices now reflect this recommendation.

The statement of Mr Ma'a confirms G4S has communicated to its operational staff that in circumstances where there is a clear threat to life or where SVCHS staff request urgent access to a prisoner; the cell is to be opened immediately by a sufficient number of staff members available based on a dynamic risk assessment performed. This communication also included that the preservation of life is the first priority.

Recommendation 7

Corrections Victoria develop and implement a training program, to be undertaken by correctional and medical staff together:

to enhance their mutual understanding of each other's respective roles in Victoria's prison system; and

to encourage a co-ordinated and cooperative relationship which recognises the respective roles and their corresponding authority in a way which reduces hierarchical barriers.

This recommendation does not apply to G4S. Notwithstanding, G4S will comply with any training proposed by Corrections Victoria which is designed to meet this recommendation.

We trust this information is of assistance to the Court and responds to the recommendations of Coroner Ryan. G4S is happy to provide any further information to the Court, if necessary.

Yours faithfully



Peter Puipaa Maa
General Manager
Port Phillip Prison