



**MINISTER FOR POLICE; CORRECTIVE SERVICES; RACING AND GAMING;
DEFENCE INDUSTRY; VETERANS ISSUES**

Our Reference: 70-45164

Ms Ros Fogliani
State Coroner of Western Australia
Office of the State Coroner

Email: coroner@justice.wa.gov.au

Dear Ms Fogliani

Thank you for your correspondence dated 20 August 2024 requesting advice on proposed actions following your findings into the death of Mr Joseph Charles Abela.

I advise that the Department of Justice (Department) is supportive of the 3 recommendations related to the Department. Actions being undertaken in response to your recommendations are outlined in Attachment One.

I trust this information is of assistance. I accept your proposal to add details to this letter to the Coroner's Court website.

Yours sincerely

**HON PAUL PAPALIA CSC MLA
MINISTER FOR CORRECTIVE SERVICES**

02 OCT 2024

ATTACHMENT ONE:

Recommendation 1:

The Department of Justice should amend relevant policies to ensure that when a prisoner is being held on remand and is the subject of a Form 1A under the *Mental Health Act 2014 (WA)* (requiring the person be examined by a psychiatrist at an authorised hospital), appears before any court in relation to an application for bail or sentence, the presiding judicial officer of that court is made aware of the existence of the Form 1A, and the options which are available to the Court in terms of dealing with that prisoner.

Department Response:

The Department of Justice supports this recommendation. Mental Health Alcohol and Other Drug (MHAOD) Services regularly liaise with the State Forensics Mental Health Services (SFMHS) Court Liaison Service when a prisoner is on a Form 1A and is scheduled for Court. The role of the Court Liaison service is to assess and advise the Judge on requirements of assessment for fitness and place on a Hospital Order at an authorised facility (Frankland Centre). Offender Services will amend Policy MH01 Form 1A Referrals and MH07 Mental Health Care Transfer Summary to include processes for Health Services and Custodial Operations to coordinate the provision of prisoner mental health care information to inform the presiding judicial officer of that court.

Recommendation 2:

In order to ensure that the mental health of prisoners can be more effectively managed, the Department of Justice should seek approval from the State Forensic Mental Health Services for all psychiatrists and mental health clinicians employed by the Department to have read-only access to the Psychiatric Services Online Information System, otherwise known as PSOLIS.

Department Response:

The Department of Justice supports this recommendation as it is the current practice. Offender Services Policy and Procedure MH 11 Psychiatric Services Online Information System (PSOLIS) Access was approved February 2024. This provides all psychiatrists and mental health clinicians employed by the Department read access to PSOLIS.

Recommendation 3:

The Department of Justice and the Department of Health should confer and identify and implement strategies to ensure the effective management of the mental health of persons admitted to prison whilst the subject of a Community Treatment Order made under the *Mental Health Act 2014 (WA)*, who are subsequently released.

Department Response:

The Department of Justice supports this recommendation in principle. The Department's Health Services will commence discussions with Department of Health to review strategies for the management of those individuals admitted to prison whilst the subject of a Community Treatment Order made under the *Mental Health Act 2014 (WA)*, who are subsequently released. These discussions will review the possibility of CTO's being issued from prison subject to system changes and resources being available.