



**MINISTER FOR POLICE; CORRECTIVE SERVICES; DEFENCE INDUSTRY;
VETERANS ISSUES**

Our Reference: 70-38128

Ms Dawn Wright
Manager Listings
Office of the State Coroner
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Dear Ms Wright

Thank you for your letter dated 7 August 2023, advising of Coroner Michael Jenkin's completion of the Inquest into the death of Mr Frank Kenneth Major.

I can advise the Department of Justice, Corrective Services (the Department) has finalised a response to the recommendation. I have reviewed the response (Attachment 1) and I am satisfied with the Department's response to the recommendation and the actions planned to ensure that terminally ill prisoners are not restrained unnecessarily and to ensure compliance with Commissioner's Operating Policy and Procedure (COPP) 12.3 Coordination of Escorts.

The Department will continue to monitor progress against the actions already committed to through previous Coronial recommendations though regular reporting.

Yours sincerely

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

04 SEP 2023

Attachment 1: Inquest into Death of Frank Kenneth Major

Department's response to Coronial Recommendation – Mr Major

Recommendation No. 1

I recommend that the Department of Justice amend the "Transfer and Discharge" module in the Total Offender Management Solution system (TOMS) so that the "Restraints Required" tab defaults to "No" for all prisoners being managed on the Terminally Ill register in TOMS.

The aim of this amendment is to ensure that before a terminally ill prisoner leaves a prison for an external appointment, a movements officer (or other relevant person) will be required to carefully review TOMS to determine whether the prisoner is required to be restrained during the relevant movement, and if so, what restraints are required.

Department's Response

The Department of Justice, Corrective Services recognises that Mr Kenneth Major was restrained contrary to the Commissioner's Operating Policy and Procedure (COPP) 12.3 Conducting Escorts and as such, is in the process of implementing several improvements to the Total Offender Management Solution (TOMS) system which will support prisons and escorting officers achieve compliance with COPP 12.3. These improvements have arisen following inquest findings issued by the Coroner's Court in 2023 and are being implemented as a matter of priority.

Firstly, these include an automated 'terminally ill' alert when prisoners are listed on the TOMS terminally ill module. This alert will ensure that prisons and escorting officers are aware of when a prisoner is terminally ill.

Secondly, amendments to the External Movement Risk Assessment (EMRA), Prisoner Movement Risk Assessment (PMRA), Offender Movement Information (OMI) and Hospital Admittance Advice (HAA) will require prison and escorting officers to specifically consider whether a prisoner has a significant medical condition or mobility issue within the meaning of COPP 12.3 and, if so, not to use restraints unless a risk assessment is completed and determines otherwise. These changes are considered preferable to a default TOMS determination as it will build further awareness and compliance with the COPP.