Inquest into the death of Jay Maree Harmer

Ms Harmer died between 1 July and 2 July 2016 whilst in custody at the Brisbane Women’s Correctional Centre. Ms Harmer had a complex medical history and her health deteriorated significantly in the years leading up to her death.

State Coroner Terry Ryan delivered his findings on 10 August 2018.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported.

The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating the implementation of recommendations can be obtained from the responsible minister named in the response.

Recommendation 1

The Queensland Government comprehensively review the current model for the provision of palliative care to prisoners with a view to improving how and where palliative care is delivered, including the provision of a range of post-release supported accommodation options for infirm prisoners eligible for parole, including exceptional circumstances parole.

Response and action: the recommendation is agreed to in part and implementation is in progress.

Responsible agency: Queensland Health.

On 2 June 2019 the Minister for Health and Minister for Ambulance Services responded:

The Department of Health commissioned an independent review of offender health services in Queensland with the aim of improving the governance of publicly provided offender health services, including the development and coordination of strategies, policies and the planning of prison health services. The policy and planning elements include the full range of health services required by prisoners, including palliative care. An outcome of this review has been the establishment in early 2019 of the Office for Prisoner Health and Wellbeing within the Department of Health. The office will have oversight of statewide health service delivery for prisoners, ensuring that these services are equivalent to those that are available in wider community. Hospital and health services will however remain responsible for the day to day delivery of prisoner health services for correctional facilities within the hospital and health service catchment.

Queensland Health established the Statewide strategy for end-of-life care 2015. This strategy promotes palliative care services across all healthcare settings and includes correctional centres. The strategy recognises the importance of individuals being empowered to make informed decisions about their healthcare, including the setting in which that healthcare is provided and the level of care that can be provided in that setting as they approach the end of their life. It is noted that Ms Harmer’s wish to spend her final days at Brisbane Women’s Correctional Centre, which she saw as her home, was respected.

Once established, the Office of Prisoner Health and Wellbeing will collaborate with prisoner health services in relevant hospital and health services to raise awareness of the Statewide strategy of end-of-life care 2015 and to address any practical issues arising from the implementation of the strategy within Queensland’s publicly operated correctional centres.
The Queensland Government will examine long-term accommodation options for parolees and prisoners including those that require ongoing personal support and health care services. This work aligns with the response to recommendation 34 as detailed in the Queensland Government’s Response to the Queensland Parole System Review recommendations.

**Recommendation 2**

Queensland Corrective Services develop a formal policy in relation to the selection, training and management of prisoner carers, including a requirement that prisoner carers be trained in the provision of basic first aid.

Response and action: implementation of the recommendation is under consideration.

Responsible agency: Queensland Corrective Services.

On 7 May 2019 the Minister for Police and Minister for Corrective Services responded:

Queensland Corrective Services (QCS) and relevant stakeholders gathered information from correctional centres across the state regarding the current prisoner carer practices, risks, issues, and possible mitigations in relation to this matter.

QCS intends to undertake consultation with relevant stakeholders and correctional centres with a view to assessing the issues, implications, obstacles and the options to address the care of prisoners and explore options for a protective prisoner care model. QCS will identify how sustainable, safe and protective such a model would be.

**Recommendation 3**

The Queensland Government ensure Parole Board Queensland has access to any medical, psychiatric and psychological reports that are tendered during sentencing proceedings. This may be facilitated by requiring that such reports are the subject of a court order that a copy of relevant reports be provided to Queensland Corrective Services, as well as enhanced information sharing between Queensland Corrective Services and Queensland Health at the time the parole application is being prepared.

Response and action: implementation of the recommendation is under consideration.

Responsible agency: Queensland Corrective Services (lead) supported by Queensland Health and Parole Board Queensland.

On 7 May 2019 the Minister for Police and Minister for Corrective Services and the Minister for Health and Minister for Ambulance Services responded:

Queensland Corrective Services is considering if amendments are required to legislation outside the service’s administrative responsibility to support the implementation of this recommendation. In addition, Parole Board Queensland and Queensland Health are currently considering a memorandum of understanding to support implementation of this recommendation.

Queensland Corrective Services and Parole Board Queensland will continue to liaise with relevant stakeholders to consider options for the effective implementation of this recommendation.
Recommendation 4

Queensland Corrective Services and Parole Board Queensland prepare guidelines to assist doctors to address relevant considerations when preparing reports in relation to exceptional circumstances parole applications. The guidelines should also clarify the level of expertise required of the authors of such reports. Consideration should also be given to obtaining advice from the Clinical Forensic Medicine Unit in these matters.

Response and action: implementation of the recommendation is under consideration.

Responsible agency: Queensland Corrective Services (lead) supported by Queensland Health and Parole Board Queensland.

On 7 May 2019 the Minister for Police and Minister for Corrective Services and the Minister for Health and Minister for Ambulance Services responded:

Parole Board Queensland is progressing guidelines in response to this recommendation in consultation with Queensland Health and Queensland Corrective Services.