

**The Hon Ryan Park MP**

Minister for Health  
 Minister for Regional Health  
 Minister for the Illawarra and the South Coast



Your Ref: 2020/00257665

Our Ref: COR23/17

The Hon. Michael Daley, MP  
 Attorney General  
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**Coronial inquest into the death of Reuben Button**

Dear Attorney General

I write in relation to the findings and recommendations made on 21 July 2023 by Deputy State Coroner Harriet Grahame regarding the death of Reuben Button.

Mr Button died in custody on 3 September 2020 of ischaemic heart disease at Junee Correctional Centre, a private correctional facility. He was 34 years old and a Kamilaroi man.

Mr Button had several underlying health issues at the time of his death. Prior to his transfer to Junee Correctional Centre on 28 July 2019, Mr Button had been incarcerated in public correctional facilities, where he received care and treatment from Justice Health NSW clinicians.

Magistrate Grahame noted the health care Mr Button received in the period before his death was hampered by significant resourcing issues at Junee Correctional Centre and systemic factors including long wait periods for specialist appointments, lack of access to an Aboriginal Liaison Officer and/or Aboriginal Health worker, lack of access to specialist health services, and the impact of COVID-19 lockdowns on inmate transfers between correctional centres.

Magistrate Grahame made 2 recommendations in total. She directed the following recommendation to Justice Health NSW, which is supported.

**Recommendation 1**

The Deputy State Coroner recommended:

*That, consistent with the recommendation in the Inquest into the death of Kevin Francis Bugmy, Justice Health NSW (JHNSW) should continue its work advocating for a trial for access to Medicare for Aboriginal inmates. In this context, JHNSW should consider liaising with its equivalent or counterpart bodies in other States to coordinate and advocate for a trial process involving Medicare being made available by the Commonwealth to Aboriginal inmates.*

In August 2022, the Executive Medical Director, Justice Health NSW, submitted a briefing note to the Board and Sub-Committees detailing the benefits of access to Medicare for people in custody. The Board supported the recommendations within the briefing note, being:

- That the recommendations from The Medicare Benefits Schedule Review Taskforce Report from the General Practice and Primary Care Clinical Committee: Phase 2 August 2018 in relation to prisoner access to Health Assessments be adopted.

- That a Ministerial exemption be granted for the use of Case Conferencing Item Numbers for people in prison.
- That Aboriginal people in custody are granted access to Medicare Item Numbers for Health Assessments for Aboriginal and Torres Strait Islander People and follow up Allied Health Services for people of Aboriginal or Torres Strait Islander descent.

The brief and supporting documents from Royal Australian College of General Practitioners and Australian Medical Association were sent to the NSW Minister for Health, and the Federal Minister for Health and Aging, as implementation will require changes in legislation or ministerial exemption.

Further, approximately 9,000 item numbers have been retrieved from Medicare for patients in NSW custody and had been uploaded into the Justice Health NSW Patient Administration System, including for Aboriginal and Torres Strait Islander patients.

In terms of existing health services and interim improvements for Aboriginal health while in custody, Justice Health NSW Aboriginal Chronic Care Team focusses on implementing the elements of the 715-health check, which contain checks on heart health, vision, hearing, movement and mental health (including family health) in their annual health check.

The benefit of introducing Medicare Item Numbers for Aboriginal people in custody will result in funded in-reach services in partnership with Aboriginal Medical Services, more funding for Justice Health NSW primary care services and better continuity of services with health providers upon return to their communities.

Justice Health NSW actively engages stakeholders regarding the advocacy and progression of Medicare for Aboriginal patients. Firstly, Professor Tony Butler, University of NSW, is leading a group funded by the Ian Potter Foundation, for a trial of 715 assessments, involving inclusion of WA and SA. Secondly, the Royal Australian College of General Practitioners Specific Interest Group in Custodial Health discussed Medicare for people in custody on 13 November 2023, with participants from NSW, Victoria, ACT, Tasmania, WA, and SA. Thirdly, there was a Medicare round table led by the Australian Medical Association and Senator Thorpe on this matter recently in Canberra and Minister Butler had discussions with the Royal Australian College of General Practitioners Special Interest Group Chair Tom Turnbull from SA. Lastly, JHNSW Chief Digital Health Information Officer and Director Medical Services are implementing a trigger to Medicare that a 715 assessment has been completed in custody and will allow the follow-on items for when people are released.

I trust that this response confirms NSW Health's commitment to a process of continuous improvement and delivering safe and high-quality care to all patients of the NSW health system.

For more information, please contact Joanne Edwards, Executive Director, System Management Branch, NSW Ministry of Health at [moh-systemmanagementbranch@health.nsw.gov.au](mailto:moh-systemmanagementbranch@health.nsw.gov.au).

Yours sincerely



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CC: NSW Coroner's Court  
Encl. Coroner's report – *Inquest into the death of Reuben Button, Letter to Health Minister and Federal Health Minister*