

SOUTH



AUSTRALIA

FINDING OF INQUEST

An Inquest taken on behalf of our Sovereign Lady the Queen at Adelaide in the State of South Australia, on the 15th of May 2001, before Wayne Cromwell Chivell, a Coroner for the said State, concerning the death of Glen Malcolm Klose.

I, the said Coroner, find that Glen Malcolm Klose, aged 71 years, late of 25 Bartholomew Avenue, Lobethal, South Australia, died at The Royal Adelaide Hospital, North Terrace, Adelaide, South Australia, on the 29th of July 2000 as a result of saddle pulmonary embolus as a consequence of deep venous thrombosis in the right calf, associated with multiple previous surgery of the right leg. I find that the circumstances of death were as follows.

1. Reason for Inquest

- 1.1. On 17 July 2000 Dr Joanne Pieters, Psychiatrist, made an order pursuant to Section 12(5) of the Mental Health Act 1993 detaining Mr Klose at Glenside Hospital for a period of 21 days. For that reason, it was considered that, at the time of his death, Mr Klose was ‘detained in custody pursuant to an Act or law of the State’ within the meaning of Section 12(1)(da) of the Coroner’s Act, and an inquest was therefore mandatory pursuant to Section 14(1a) of the said Act.
- 1.2. It has more recently come to my attention that on 28 July 2000, when Mr Klose was transferred from Glenside Hospital to the Royal Adelaide Hospital, a person with the name D Kirseen has signed a form under the Mental Health Regulations 1995 purporting to grant leave of absence pursuant to Section 17 of the Mental Health Act 1993, for the period from 0830 hours on 28 July 2000 until 7 August 2000.

- 1.3. It is not clear to me whether the person signing the form was the Director of Glenside Hospital at the time, as required by Section 17 of the Mental Health Act 1993 ('Director' is defined in the Act as 'the person for the time being in charge of the treatment centre or a person duly authorised to admit patients to the treatment centre').
- 1.4. There is no copy of this purported grant of leave of absence in the Royal Adelaide Hospital case notes. At the time of Mr Klose's death, staff at the Royal Adelaide Hospital clearly understood that he was a detained patient.
- 1.5. In order to avoid misunderstanding, unless it is clear that the patient has recovered from the condition for which he had been detained, by far the preferable course is to authorise a transfer of a detained patient, pursuant to Section 16 of the Mental Health Act 1993, rather than granting a leave of absence. This has been the course adopted in the other two inquests before me today. I draw this matter to the attention of the Director of Mental Health Services.

2. **Background**

- 2.1. Mr Klose's daughter, Ms Kaye Healey, states that although her father had been relatively healthy throughout his life, he had undergone a number of operations on his knees over the years.
- 2.2. Ms Healy said:

'In the last week of June 2000, I stayed at his house for a couple of days. During this time he appeared to be very quiet and withdrawn, which was not like him. He was quite upset about his financial situation and concerned about the effect the introduction of the GST was going to have on him as a pensioner. On Tuesday the 4th of July 2000, my father went to his local doctor, Doctor Davey, who practices in Lobethal. I believe that he went there as he had to have a check-up for his driver's licence. While he was there he apparently opened up to Doctor Davey telling him that he was extremely concerned about his financial situation. Doctor Davey prescribed my father some medication but I am not sure what it was.

On Wednesday the 5th of July 2000, my father was at home when he appeared to black out and fall. My mother and the next-door neighbour helped to pick him up and put him in bed where he came to. Doctor Davey attended but I am unsure what Doctor Davey said was the problem. About two weeks later, Doctor Davey organised for my father to be admitted to Glenside Hospital for treatment of depression.'

(Exhibit C1a, p1-2)

- 2.3. On 14 July 2000, Dr Davey made an order for Mr Klose's immediate admission and detention pursuant to Section 12(1) of the Mental Health Act 1993 on the following grounds:

'Obvious severe depression

Abnormal thought patterns (ie. psychotic) - (eg. "the world will end tomorrow", severe self guilt, delusions of financial problems, etc)

Refusal to eat (at times)

Agitation'

(Exhibit C10)

- 2.4. Mr Klose was admitted to Glenside Hospital that day and Dr Davey's order was confirmed by a psychiatrist the following day. On 17 July 2000, Dr Pieters made a further order as I have already outlined.
- 2.5. Mr Klose appeared to settle down in Glenside Hospital although Ms Healey noted that he was complaining that his right ankle had become swollen. This appeared to get worse, and on 28 July 2000 Mr Klose was transferred to the Royal Adelaide Hospital for further tests. It was noted upon admission that his right calf was swollen and warm, an ultrasound investigation confirmed that he was suffering from deep vein thrombosis in the right calf. No further treatment was administered.
- 2.6. On the morning of 29 July 2000 Mr Klose was found collapsed on the floor in the bathroom. He was noted to be in cardiac arrest. Cardio-pulmonary resuscitation was commenced but despite extensive efforts to resuscitate him, Mr Klose could not be revived and death was pronounced at 0930 hours in the presence of four doctors including Dr Nicholas Pourgiezis, a medical intern and an Intensive Care Registrar.

3. Cause of death

- 3.1. A post-mortem examination on the body of the deceased was performed by Dr R A James, Chief Forensic Pathologist, on 31 July 2000. Dr James found that Mr Klose had suffered a 'saddle embolus' (a large embolism or clot) which had become lodged in the right and left main pulmonary arteries, extending into the pulmonary vasculature.

- 3.2. Dr James suggested that the clot had come from deep vein thrombosis which he found to be present in Mr Klose's right calf, probably associated with the multiple previous surgery Mr Klose had experienced in his right knee.
- 3.3. On the basis of Dr James' findings, I find that the cause of Mr Klose's death was unrelated to his detention and hospitalisation at Glenside Hospital and the Royal Adelaide Hospital.
- 3.4. The investigation has revealed no ground for concern about the quality of the treatment given to Mr Klose during his period in custody.

4. Recommendations

- 4.1. There are no recommendations pursuant to Section 25(2) of the Coroner's Act.

Key Words: Death in Custody

In witness whereof the said Coroner has hereunto set and subscribed his hand and

Seal the 16th day of May, 2001.

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Coroner