

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 29<sup>th</sup> day of January and the 5<sup>th</sup> day of February 2002, before Wayne Cromwell Chivell, a Coroner for the said State, concerning the death of Angelo Cocca.*

*I, the said Coroner, find that, Angelo Cocca aged 63 years, late of Acacia Ward at the Glenside Campus of the Royal Adelaide Hospital, 226 Fullarton Road, Glenside, South Australia died at Glenside on the 20<sup>th</sup> day of February 2001 as a result of respiratory arrest caused by bronchopneumonia secondary to swallowing problems caused by severe dementia.*

### **1. Reason for inquest**

- 1.1. On 8 March 2000, the Guardianship Board of South Australia made an order pursuant to Section 13 of the Mental Health Act 1993 that Mr Cocca be detained in Glenside Hospital for the period up to and including 8 March 2001.
- 1.2. Accordingly, when he died on 20 February 2001, Mr Cocca 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.

### **2. Introduction**

- 2.1. Mr Cocca was initially accommodated at Glenside Hospital in Downey Ward but, since May 2000, he had resided in Acacia Ward.

- 2.2. Dr Stephanie Cooper, his treating medical practitioner, states that Mr Cocca's condition deteriorated continuously throughout the year, and even more markedly in November 2000. She said that his death was expected (Exhibit C1a, p1).
- 2.3. On 19 February 2000, nursing staff noted that Mr Cocca's condition had deteriorated even further. By this time, he was receiving palliative care.
- 2.4. At about 7:25pm registered Mental Health Nurse, Mallion, noted that Mr Cocca's breathing was laboured, his pupils were fixed and dilated and he was unresponsive with a very weak, thready pulse.
- 2.5. At 7:45pm, Ms Mallion attended upon Mr Cocca again and saw that he had died. There was no heart beat or respiration. She telephoned Dr Cooper who attended at about 8:10pm and pronounced life extinct at 8:15pm (Exhibit C1a, p1).

### **3. Cause of death**

- 3.1. Dr Cooper stated that the cause of Mr Cocca's death was 'respiratory arrest caused by bronchopneumonia secondary to swallowing problems caused by severe dementia.' (Exhibit C1a, p1).
- 3.2. I accept Dr Cooper's opinion regarding this and find that the cause of Mr Cocca's death was as she has stated.

### **4. Issues arising at the inquest**

- 4.1. As I stated at the outset, this inquest was mandated by the Coroner's Act. There is no evidence that there are any concerns regarding the quality of care received by Mr Cocca whilst he was a patient at Glenside Hospital. Indeed, the papers indicate that the staff at Glenside Hospital made every effort to make him as comfortable as possible during the terminal phases of his severe and debilitating illness.
- 4.2. Dr Cooper has alerted me to concerns she has about the appropriateness of the detention order at the time of Mr Cocca's death. She wrote to the Guardianship Board in November 2000 drawing attention to the fact that Mr Cocca was no longer ambulatory and requesting that the detention order be lifted as it was no longer necessary. This application was dismissed.

4.3. As a result of that dismissal, Mr Cocca's death must be treated as a death in custody which Dr Cooper describes as a waste of time and resources.

4.4. It is not my function to comment upon the exercise of jurisdiction granted to the Guardianship Board pursuant to the Mental Health Act 1993, however, I will draw Dr Cooper's concerns to the attention of the President of the Guardianship Board.

**5. Recommendations**

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

*Key Words: Death in custody; Dementia.*

*In witness whereof the said Coroner has hereunto set and subscribed his hand  
and Seal the 5<sup>th</sup> day of February, 2002.*

.....  
*Coroner*