



## FINDING OF INQUEST

*An Inquest taken on behalf of our Sovereign Lady the Queen at Adelaide in the State of South Australia, on the 6<sup>th</sup> day of April 2006 and the 16<sup>th</sup> day of June 2006, by the Coroner's Court of the said State, constituted of Mark Frederick Johns, State Coroner, into the death of Lawrence John Hodson.*

*The said Court finds that Larence John Hodson aged 63 years, late of Glenside Campus, 226 Fullarton Road, Glenside died at Glenside Campus, Glenside, South Australia on the 30<sup>th</sup> August 2005 as a result of complications from carcinoma of the lung. The said Court finds that the circumstances of his death were as follows:*

### **1. Introduction and reason for Inquest**

- 1.1. Lawrence John Hodson died on 30 August 2005 while he was a patient at Glenside Campus. Professor Roger Byard expressed the opinion that Mr Hodson died from complications from carcinoma of the lung and I so find.
- 1.2. As at the date of his death, Mr Hodson was a patient at the Glenside Campus. He was detained pursuant to the provisions of the Criminal Law Consolidation Act 1935.
- 1.3. Mr Hodson was born on 5 July 1942. He was abandoned by his mother as a child and was brought up by his cousin in Orroroo with eight siblings. He experienced abuse in foster care and as a young adult he worked on various pastoral stations. Mr Hodson was working on a station when he shot a man in the incident which led to his incarceration
- 1.4. On 15 March 1966 Mr Hodson was found not guilty of the crime of wounding with intent to cause grievous bodily harm by reason of insanity. The trial judge ordered,

pursuant to the Criminal Law Consolidation Act 1935, that he be kept in custody at the Adelaide Gaol at the pleasure of the Governor.

- 1.5. At the time of his death, Mr Hodson continued to be detained pursuant to the provisions of the Criminal Law Consolidation Act 1935, and accordingly his death was a death in custody within the meaning of the Coroner's Act 2003. Accordingly, this Inquest has been held as required by section 21(1)(a) of that Act.
- 1.6. The medical records for Mr Hodson were tendered at the Inquest and were admitted as Exhibit C4f and C4e. They show that he suffered from chronic paranoid schizophrenia.
- 1.7. On the 21 February 1994, Justice Mohr, a judge of the Supreme Court, ordered that Mr Hodson be released on licence upon the condition that he reside at Glenside Hospital, that he be maintained on Modecate anti-psychotic medication or such anti-psychotic medication as ordered by the Director of Clinical Services or his nominee. There were certain other conditions which I need not repeat here.
- 1.8. In 2003 Mr Hodson was diagnosed as having lung cancer. He was being treated as an outpatient at the Royal Adelaide Hospital for this condition by oncologists and respiratory specialists. He was also receiving medical treatment while at the Glenside Campus for his psychiatric conditions.
- 1.9. The hospital notes reveal extensive communication between the various specialists treating Mr Hodson at the Glenside Campus and the Oncology and Respiratory Specialists treating him at the Royal Adelaide Hospital. He was reviewed regularly throughout the second half of 2003 and early 2004 for his cancer which was assessed at that time to be in remission. In July 2005 Mr Hodson had a sudden onset of confusion and drowsiness and was transferred from the Glenside Campus to the Royal Adelaide Hospital where he was diagnosed as having left sided pneumonia secondary to collapse of his left lung. However, again there was no evidence of metastatic disease and he was treated with antibiotics. After clinical improvement he was transferred back to the Glenside Campus. At this time the possibility of further radiotherapy was explored and the decision was made that Mr Hodson would again commence on that treatment but it was not expected that his cancer was curable.

- 1.10. On 23 December 2003 Dr Bretag of the Glenside Campus made an application to the Guardianship Board that a guardian be appointed for Mr Hodson. The reasons set out in the application were that a guardian would “provide an independent advocate to assist Laurie with end of life decisions particularly resuscitation”. On 12 January 2004 the Guardianship Board ordered that the Public Advocate be appointed as limited guardian and the person to whom the responsibility was delegated was Mr David Cripps of the Public Advocate’s Office.
- 1.11. On 6 February 2004 Mr Cripps visited Mr Hodson at Glenside Campus to discuss with him his wishes regarding active resuscitation during the terminal phase of his illness, Mr Cripps made an affidavit in which he describes that a nurse who knew Mr Hodson well was also present during that meeting. That nurse made notes. Mr Hodson’s clearly expressed wish was there would be no active resuscitation attempts. Mr Cripps duly issued a direction to the staff at the Glenside Hospital that this was to be the case. All of this is clearly documented in the hospital notes.
- 1.12. As already stated, Mr Hodson died on 30 August 2005.
- 1.13. Nurse Inta Rubenis is a registered nurse at Glenside Campus and made an affidavit in this matter which was received as Exhibit C1a. She was on night duty on 30 August 2005. She stated that Mr Hodson had gone to the Royal Adelaide Hospital for radiotherapy during the day and he was feeling a bit flat and tired. She was with Mr Hodson at approximately 8.15 pm when he had difficulty breathing. She assisted him with Ventolin which was given by nebuliser. Mr Hodson pointed to his chest and said he was short of breath. He gradually became more distressed and Nurse Rubenis contacted the on call doctor, Dr Vikas Mohanlal. Dr Mohanlal made an affidavit in this matter which was received as Exhibit C2a. He stated that he arrived at the ward to see Mr Hodson at approximately 8.45 pm. When he arrived at Mr Hodson’s room and examined him Mr Hodson was lying on the bed. He was not moving and did not respond to any stimuli. He had no pulse, no respiration and his pupils were dilated. He certified life extinct at 9.05 pm on that day.
- 1.14. I received helpful submissions in this matter from Ms Hodder. She submitted, and I accept, that there were no issues about the lawfulness of Mr Hodson’s detention. She submitted, and I accept, that his treatment was appropriate and diligent and there were

no obvious deficiencies disclosed about his care and treatment. In fact, his care and treatment appears to have been commendable.

1.15. I make no recommendations pursuant to Section 25(2) of the Coroner's Act 2003 in this matter.

*Key Words: Death in custody; Guardianship Board; Psychiatric/Mental illness;*

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

*Seal the 16th day of June, 2006.*

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*State Coroner*