



FINDING OF INQUEST

An Inquest taken on behalf of our Sovereign Lady the Queen at Adelaide in the State of South Australia, on the 29th and 30th days of September 2010 and the 11th day of August 2011, by the Coroner's Court of the said State, constituted of Mark Frederick Johns, State Coroner, into the death of Barbara Mary Piro.

The said Court finds that Barbara Mary Piro aged 91 years, late of 37 Gray Street, Plympton, South Australia died at Plympton, South Australia on or about the 22nd day of October 2008 as a result of pulmonary thromboembolism and subcutaneous abscess formation complicating pressure sores and malunited fracture dislocation of right ankle. The said Court finds that the circumstances of her death were as follows:

1. Introduction and cause of death

1.1. Barbara Mary Piro died on or about 22 October 2008 at her home address. She was 91 years of age. A post-mortem examination was carried out by Dr John Gilbert, forensic pathologist, who found the cause of death to be pulmonary thromboembolism and subcutaneous abscess formation complicating pressure sores and malunited fracture dislocation of right ankle¹ and I so find.

2. Background

2.1. Mrs Piro was found dead on her bed at home by a family member and police on 23 October 2008. She had last been seen alive on 20 October 2008. Her daughter normally resided with her but had left for a trip to the United States on 16 October 2008.

¹ Exhibit C6

- 2.2. Dr Gilbert noted the following significant matters at autopsy. Mrs Piro had a decubitus ulcer over the posterior sacrum associated with a subcutaneous abscess cavity extending over the right posterior aspect of the sacrum. There was also a large subcutaneous abscess with a sinus opening over the lateral aspect of the right upper thigh. The abscess cavity extended down to the underlying greater trochanter of the right femur, but did not appear to be associated with any significant osteomyelitis of the femur. Thirdly, there was evidence of previous fracture dislocation of the right ankle. The fracture had evidently not been treated medically and had healed with permanent deformity. The skin over the medial malleolus of the displaced lower tibia had ulcerated. Further examination of the leg showed disuse atrophy of the muscles of the right calf, diffuse subcutaneous oedema of the right calf and foot and antemortem thrombus was noted in the right external iliac vein². Dr Gilbert said that the pressure sores had been present for in the order of a few weeks, if not significantly longer³. Dr Gilbert said that the fracture would have precluded weight bearing and, consistent with this, he noted that the muscles of the right calf had not been active for quite some time, in the order again of weeks or months⁴.
- 2.3. Dr Gilbert said in evidence that Mrs Piro's immobility was the cause of her thrombosis which in turn ultimately led to her death⁵. Dr Gilbert conceded that Mrs Piro was 91 years of age and thus very elderly. He did say that she need not have died the way that she did (had her ankle and bed pressure sores been medically treated).
- 2.4. As I have already said, Mrs Piro was found by the police and her great nephew, Mr Andre Ghouse. Mr Ghouse gave evidence that Mrs Piro was:

'Quite sharp in the tongue, very eager to drink and had her wits about her.'⁶

Mr Ghouse had attended several days prior to finding his great aunt deceased to check upon her. He spoke to her through the bedroom window and asked about her wellbeing. She said she was fine and he pressed the matter by asking whether she

² Exhibit C6, page 1

³ Transcript, pages 52-53

⁴ Transcript, page 57

⁵ Transcript, pages 72-73

⁶ Transcript, page 92

was sure and whether there was anything he could do to help. To this she replied with what Mr Ghouse described as 'enough sass' as follows:

'If I need your help I'll ask for it.'⁷

- 2.5. Mrs Piro's daughter, Susan Piro, gave evidence that she worked as a nurse. She worked variable shift work and kept very irregular working hours as a result. She had lived with her mother since 1994 and was her mother's only relative apart from Mr Ghouse's wife⁸.
- 2.6. Susan Piro would attend to her mother's needs including checking her blood pressure. She said that her mother had a liking for alcohol and, despite being told by the doctor to 'lay off a bit', she would not do so and in fact drank more towards the end of her life⁹. She gave evidence of Mrs Piro having slipped off the couch causing an injury to her foot which became swollen. No break in the skin was visible, nor was any bone, but Susan Piro suspected that the foot was broken¹⁰. Mrs Piro declined medical treatment and responded that it was merely a torn sinew. Susan Piro made some effort to call a doctor but did not persist and no medical treatment was obtained. At one stage Susan Piro picked up the phone to call the doctor after discussing the matter with her mother and was determined to ring for a doctor, but her mother snatched the phone out of her hand and told her not to do it and was very angry. At that point Susan Piro abandoned the matter. She said her mother was mentally alert and decisive about what she wanted to do and what she wanted about her care¹¹. Susan Piro gave evidence of an unfortunate experience that her mother had when undergoing a cataract procedure¹² as a result of which I infer that she was reluctant to seek medical treatment.
- 2.7. Susan Piro arranged for her mother's care, including by the purchase of a shower chair, a toilet raiser, a walker and a walking frame. There was a commode in the bedroom and a telephone by her mother's bed. She also purchased a wheelchair for her mother to go on outings or in to the garden¹³.

⁷ Transcript, page 94

⁸ The deceased's great niece

⁹ Transcript, pages 105-106

¹⁰ Transcript, pages 109-110

¹¹ Transcript, page 113

¹² Transcript, page 115

¹³ Transcript, page 117

- 2.8. Susan Piro said that her mother had once lived in America and would reminisce about it. It was suggested that Susan Piro might travel to America to visit those places her mother had lived in. To that end she made travel arrangements sometime before her mother had hurt her leg and paid for the trip. She spoke to her cousin - Mrs Piro's great niece - who expressed concern at Susan Piro leaving her mother alone and, as a result, she became concerned and cancelled her holiday. She said that her mother was not happy about that and firmly pressed her to plan another holiday. So insistent was her mother that she was involved in planning the holiday with Susan Piro¹⁴. As a result, Susan Piro did travel overseas, leaving on 16 October 2008 as I have recorded. Her mother and she discussed the concerns previously raised by Mrs Piro's great niece and Mrs Piro simply said that Susan was to proceed with the holiday and not take any notice of what the great niece said about the matter¹⁵.
- 2.9. Susan Piro said that prior to her departure Mrs Piro's ankle injury was still a bit swollen but the 'perfusion was okay'¹⁶. She said she had put a dressing on it. She said she had never noted any infection around the ankle and that her mother had not complained of pain. She acknowledged that her mother had developed bed sores from time to time and claimed that she would treat those by cleaning them and applying dressings.
- 2.10. Susan Piro acknowledged that she was worried about her mother and her mother's ability to care for herself in Susan's absence¹⁷. She said that she had left food and money - the latter in case her mother wished to purchase takeaway food. The food left by the bedside table included casseroles, fruit, biscuits and some tinned food. She acknowledged that the casseroles could not remain fresh without refrigeration and the intention was that they would be eaten within a day or two¹⁸. She was asked about the practicality of the delivery of takeaway food bearing in mind that her mother was bed bound and there would be difficulty in arranging for the person delivering the food to get inside the house. She frankly acknowledged that she did not know how that would occur¹⁹.

¹⁴ Transcript, page 120

¹⁵ Transcript, page 121

¹⁶ Transcript, page 122

¹⁷ Transcript, page 145

¹⁸ Transcript, page 146

¹⁹ Transcript, page 147

2.11. Susan Piro acknowledged that her mother's ankle was in the state depicted in photographic evidence taken post-mortem which showed bone exposed to the atmosphere²⁰. She was asked if she understood the risks of immobility posed to a person such as her mother and the complication of thromboembolism. She acknowledged that she did and, when asked why she had left her mother at home in these circumstances, she simply replied that her mother wanted her to go²¹. She acknowledged that her mother would be unable to have a wash for the period of two weeks whilst she was away or to change her clothes for that period and, although a commode was present in her bedroom, that her mother would be unable to empty it to dispose of any waste²². Susan Piro said that she had purchased and fitted her mother with incontinence pads before her departure²³.

3. Conclusions

- 3.1. This is a particularly tragic and distressing case. It is tempting to be critical, even censorious, of Mrs Piro's daughter. Certainly, as Dr Gilbert so clearly and fairly observed, Mrs Piro need not have died in the way she did.
- 3.2. On the other hand, Susan Piro was the single child of a very elderly person who was resistant to obtaining medical advice, who refused to comply with such medical advice in relation to alcohol consumption as had been provided to her and who was very strong willed. I had the impression that, although Mrs Piro was extremely frail and elderly, she was by far the stronger character of the mother and daughter. I think it most unlikely that Susan Piro would have left her mother in the situation she did had her mother expressed the least reservations about it. However, it appears that Susan Piro followed the habits of a lifetime in bending to her mother's will.
- 3.3. Furthermore, Susan Piro was in that difficult situation shared by the child of an elderly parent or parents who are frail but have no cognitive impairments. They are torn between the need to respect the will, autonomy and freedom of action of their parent on the one hand, and their concern about their parent's welfare on the other.

²⁰ Transcript, page 148

²¹ Transcript, page 150

²² Transcript, pages 151-152

²³ Transcript, page 153

3.4. In this instance I think it is true to say that Susan Piro exercised poor judgment. Rather than criticising her I prefer to express the hope that cases such as this may lead to a greater awareness of the plight of the old, frail and isolated in our community.

4. Recommendations

4.1. I make no recommendations in this matter.

Key Words: Care of the Elderly

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

Seal the 11th day of August, 2011.

State Coroner