



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 day of July 2014 and the 27th day of August 2015, by the Coroner's Court of the said State, constituted of Anthony Ernest Schapel, Deputy State Coroner, into the death of John Alfred Beasley.

The said Court finds that John Alfred Beasley aged 79 years, late of Resthaven Aged Care Facility, 30 Sussex Terrace, Westbourne Park, South Australia died at Westbourne Park, South Australia on the 16th day of August 2012 as a result of cardiovascular degeneration. The said Court finds that the circumstances of his death were as follows:

1. Introduction, cause of death and reason for Inquest

- 1.1. John Alfred Beasley died on 16 August 2012 at the Resthaven Aged Care Facility at Westbourne Park (Resthaven). He was 79 years of age. His cause of death was established by way of a pathology review of his clinical history¹. The cause of death as expressed in that review is cardiovascular degeneration. I so find.
- 1.2. Mr Beasley had been found unfit to be tried in relation to certain sexual offences. As a result, pursuant to section 269O of the Criminal Law Consolidation Act 1935, Mr Beasley was declared liable to supervision with a limiting term of 13 years. On 15 December 2005 the District Court released Mr Beasley on licence pursuant to section 269O(1)(b)(ii) of the Act on the condition that he reside at Resthaven and not leave that place of residence except in the company of a staff member of Resthaven.

¹ Exhibit C2a

- 1.3. Mr Beasley was found deceased in his bed at Resthaven on 16 August 2012 during the term of the licence. Mr Beasley's death was a death in custody and this Court was mandated to undertake an Inquest.

2. **Background and events leading to Mr Beasley's death**

- 2.1. Mr Beasley had a medical history of Type 2 diabetes, hypertension, cerebrovascular disease with multiple cerebrovascular accidents, dysphagia, dementia and depression. He was born in Adelaide and had one sister, Pamela, who is now deceased. During his life Mr Beasley never married and did not have any children. Mr Beasley attended Cowandilla Primary School and then attended Adelaide High School. After he left high school he successfully completed a radio technician apprenticeship before sitting the Commonwealth Public Service exam. He was then employed in a clerical position. Mr Beasley worked for the Department of Civil Aviation for many years. During his last term of employment he worked at Adelaide Airport where he was in charge of the supply division for South Australia and the Northern Territory. In 1981 Mr Beasley retired from this position after suffering his first cerebrovascular accident. He was 48 years of age at the time.
- 2.2. After his retirement Mr Beasley and his sister purchased a farm at Hope Forest where they raised sheep, horses, ponies and cows. In 1990 Mr Beasley left the farm after he was kicked by a horse and sustained a fractured hip as a result. He moved to Eden Hills where he lived with his mother and sister. Mr Beasley's sister acted as his caregiver until she passed away in the late 1990s. Due to his declining health, on 22 June 2001 Mr Beasley handed over his power of attorney to Tower Trust Ltd.
- 2.3. On 7 December 2001 Mr Beasley was arrested by members of the Child Exploitation Investigation Unit for a number of sexual offences. This was Mr Beasley's first and only contact with the criminal justice system during his lifetime. In May 2003, whilst on bail for these criminal offences, Mr Beasley was admitted to Resthaven at Westbourne Park. On 11 May 2004 Mr Beasley entered pleas of guilty to 13 out of the 17 sexual offences charged on District Court information. The Director of Public Prosecutions entered a nolle prosequi with respect to the outstanding four counts.
- 2.4. Prior to sentencing submissions psychological reports were ordered which resulted in Mr Beasley successfully withdrawing his pleas of guilty. The Court subsequently found that Mr Beasley was mentally unfit to stand trial. The objective elements of the

offending were established beyond reasonable doubt. As earlier indicated, the District Court declared Mr Beasley liable to supervision and imposed the limiting term of 13 years.

- 2.5. Psychiatric reports provided to the Court revealed that Mr Beasley was suffering from a gross and incurable mental impairment, specifically an advanced vascular dementia with prominent frontal lobe impairment. Mr Beasley's condition was said to be irreversible. It was also stated that he was likely to continue to deteriorate. A report provided to the Court from the Manager of Custodial Systems at Correctional Services confirmed that Mr Beasley could not adequately be housed in prison due to his physical state, which meant that he would have to be housed in the prison infirmary.
- 2.6. On 15 December 2005 Mr Beasley was released on licence. During the term of the licence Mr Beasley was required to be under the care of the Clinical Director of Forensic Mental Health Services, reside at Resthaven at Westbourne Park at all times, not leave his place of residence except in the company of a staff member, comply with his treatment plan, be under the supervision of a correctional services officer and be of good behaviour.
- 2.7. After the imposition of the licence Mr Beasley remained in the high dependency unit of the nursing home and was accommodated in a single room. He was incontinent of urine and faeces, had swallowing difficulties and was at high risk of choking. He had an unstable gait and was considered to be at risk of falls despite using a walking frame. Mr Beasley suffered five cerebrovascular accidents during his residency at Resthaven between 2003 and 2012. He also suffered a number of falls. The falls were well documented in the nursing home notes. Mr Beasley did not require hospital treatment as a result of any of those falls.
- 2.8. Mr Beasley was medically managed by Dr Kerry Vlahos at the nursing home. Dr Vlahos would attend to Mr Beasley at the nursing home every six to eight weeks. He was treating Mr Beasley for multiple health complaints, including his Type 2 diabetes, hypertension and cerebrovascular disease. Dr Vlahos provided a medical history of Mr Beasley and stated in his deposition tendered to the Court that Mr Beasley suffered a severe stroke in 1990 where he suffered paralysis on the right side of his body and required a peg feeding tube. The feeding tube was removed

some time before 2003 when Mr Beasley was able to resume feeding orally. As a result of the stroke Mr Beasley developed ataxia. Mr Beasley also had mild dementia, depression, faecal and urinary tract incontinence, prostate cancer in 1996, bowel cancer which resulted in him having part of the his bowel removed, hearing loss, a right hip replacement and he suffered urinary tract infections. Dr Vlahos medicated Mr Beasley with numerous medications to assist with his diabetes, cholesterol, hypertension and depression. He noted that in the 12 months leading up to Mr Beasley's death there had been a deterioration in his health and he was becoming much less mobile.

- 2.9. Dr Vlahos last saw Mr Beasley on 25 July 2012, about three weeks before his death. On this occasion Dr Vlahos checked Mr Beasley's blood sugar levels and reported that Mr Beasley appeared normal in that regard.
- 2.10. At about 4:50am on 16 August 2012 a care worker at the nursing home entered Mr Beasley's room. He called out Mr Beasley's name three times. Ordinarily Mr Beasley would have responded to the first or second call. However, on this occasion he did not respond. The care worker checked Mr Beasley's wrist for a pulse but could not obtain a reading. The on-call registered nurse was called to the room and confirmed that Mr Beasley had died.

3. Conclusion

- 3.1. The circumstances of Mr Beasley's death were investigated by Detective Brevet Sergeant Bradley Scott of the Sturt Criminal Investigation Branch. The report of Detective Scott expresses a number of conclusions that arise from his investigation. The conclusions include that the custody of Mr Beasley was lawful having regard to the fact that it was pursuant to a Court order, that his accommodation at Resthaven was appropriate and that he was there receiving the correct level of care. Having examined the evidence that has been tendered to the Court I find that those conclusions are irresistible and I adopt them as the Court's conclusions and findings.
- 3.2. Mr Beasley's cause of death was natural. His custodial circumstances did not contribute to his death.

4. Recommendation

4.1. The Court does not see any need to make any recommendation in this matter.

Key Words: Death in Custody; Natural Causes

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

Seal the 27th day of August, 2015.

Deputy State Coroner