



FINDING OF INQUEST

An Inquest taken on behalf of our Sovereign Lady the Queen at Adelaide in the State of South Australia, on the 24th day of June 2016 and the 5th day of September 2016, by the Coroner's Court of the said State, constituted of Mark Frederick Johns, State Coroner, into the death of Alastaire William Hearne.

The said Court finds that Alastaire William Hearne aged 83 years, late of the Salisbury Private Nursing Home, 147 Frost Road, Salisbury, South Australia died at Salisbury, South Australia on the 22nd day of August 2014 as a result of general inanition due to advanced dementia on a background of ischaemic heart disease. The said Court finds that the circumstances of his death were as follows:

1. Introduction and cause of death

1.1. Mr Alistair William Hearn was 83 years of age when he died on 22 August 2014 at the Salisbury Private Nursing Home. Following a review of Mr Hearn's medical history Dr Iain McIntyre of Forensic Science South Australia provided the opinion that Mr Hearn's cause of death was general inanition due to advanced dementia on a background of ischaemic heart disease¹, and I so find.

2. Reason for Inquest

2.1. At the time of his death Mr Hearn was the subject of orders under the Guardianship and Administration Act 1993. In light of these orders Mr Hearn was, under the law of the State, regarded as being under detention. Accordingly, his was a death in custody

¹ Exhibit C2a

within the meaning of that expression in the Coroners Act 2003 and this Inquest was held as required by section 21(1)(a) of that Act and for no other reason.

3. Background

- 3.1. In 2008 Mr Hearn was living with his wife in their own home with some assistance and support. Mr Hearn had been diagnosed with dementia which was becoming progressively worse.
- 3.2. In February 2013 orders were obtained under the Guardianship and Administration Act 1993 (the Act) appointing the Public Advocate to be Mr Hearn's guardian.
- 3.3. In December 2013 Mr Hearn was admitted to the Wynwood Nursing Home in Norwood following a fall at home. He would not however stay there voluntarily, despite his inability to look after himself.
- 3.4. In January 2014 Mr Hearn was admitted to the Salisbury Private Nursing Home which is a secure facility. At this time the Public Advocate applied for additional powers under section 32 of the Act. These orders provided authority for the Public Advocate to direct that Mr Hearn be and remain resident at a the nursing home.
- 3.5. On admission to Salisbury Private Nursing Home Mr Hearn was put on a treatment plan and often suffered agitation and restlessness due to his dementia. His medical history included heart disease, hypertension and recurrent urinary tract infections.
- 3.6. Mr Hearn would sometimes get involved in physical confrontations with other patients and be difficult to deal with. In February 2014 Mr Hearn was taken to hospital with a fractured elbow as a result of a fight with another patient. He was given a plaster cast and returned to the nursing home. He also suffered a small cut to his lip as a result of him ripping a blanket away from another patient.

4. Mr Hearn's decline

- 4.1. On 15 August 2014 Mr Hearn's condition deteriorated and he was refusing to eat or drink. In consultation with Mr Hearn's family a decision was made to move him to the palliative care room within the nursing home.

4.2. Mr Hearn died in the early hours of 22 August 2014.

4.3. I have nothing to add.

Key Words: Death in Custody; Section 32 Powers; Natural Causes

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

Seal the 5th day of September, 2016.

State Coroner

Inquest Number 34/2016 (1448/2014)