



MAGISTRATES COURT of TASMANIA

CORONIAL DIVISION



Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Stephen Raymond Carey, Coroner, having investigated the death of Rosemary Joy Balmer

Find That:

- (a) The identity of the deceased is Rosemary Joy Balmer (“Ms Balmer”);
- (b) Ms Balmer died in the circumstances described in this finding;
- (c) Ms Balmer died on 7 October 2013 at Main Road, Montrose;
- (d) Ms Balmer died as a result of mixed prescription drug toxicity (oxycodone, amitriptyline, diazepam, diphenhydramine, paracetamol);
- (e) Ms Balmer was born in Ouse on 28 April 1963 and was aged 50 years at the time of her death;
- (f) Ms Balmer was divorced at the date of death;
- (g) Ms Balmer was unemployed; and
- (h) No other person contributed to Ms Balmer’s death.

Circumstances Surrounding the Death:

Ms Balmer was the mother of three adult children: Michael, Tamika and Kyle and had been divorced from her husband and the father of these children, Gregory Balmer, for approximately 15 years.

During her working life she was employed as a nurse and approximately 18 years prior to her death she suffered a back injury in the course of her employment. In the years following, her injury did not improve and she was obliged to cease working. As a result of this injury she was also medicated with a range of pain medication, including Oxycontin, Endep and Lyrica. As a result of this she suffered addiction problems and commenced abusing these prescribed medications. Her history is summarised by her treating general practitioner, Dr D McLeod, who stated that:

“Rosemary Balmer became known to me after a back injury at work many years ago

from which she developed chronic pain which was treated with narcotic analgesics on which she became dependent. The medications were not commenced by me. When it became clear that she was dependent on Oxycontin, she was referred to the Pain Management Unit at the Royal Hobart Hospital (RHH). She underwent their Pain Clinic but because she showed no interest in changing the situation, the Pain Clinic did not think that they could help her, in fact when referred on other occasions they refused to engage her."

He goes on to describe that the week before her death was difficult for Ms Balmer and that he saw her on three occasions during that time in relation to an infective exacerbation of her airways disease. He commenced medication for this and she started to respond; however he was then informed by her that her partner of 3 years had been found dead in bed. She was seen again on the afternoon before her death and her chest condition appeared to be improving and she asked if she could pick up her medication that evening for the next day because her partner's funeral was the next day. He consented to this. Dr McLeod said at that time there was no indication that she was suicidal or that she was not going to attend the funeral. Dr McLeod also advised that he attempted to change her medication and address her dependency on many occasions by having her attend the detoxification unit at the Drug and Alcohol Service. For this purpose several referrals were done over a period of time but Ms Balmer refused to follow through with these referrals.

Ms Balmer had been in a de facto relationship for 2 to 3 years with William John Sterling and they resided together at a unit in Main Road, Montrose. Both had ongoing physical ailments and were both known to be abusers of prescription medication. Approximately a week prior to her death Mr Sterling died at their unit. Tuesday, 8 October 2013, was the date set for Mr Sterling's funeral to be held at Millington's Funeral Home at Main Road, Moonah. At approximately 10:30 that morning, Kyle Balmer (a son of Ms Balmer) arrived at his mother's unit as he had been told by persons at the funeral that his mother was expecting him to transport her to the funeral. When he arrived the unit was locked; he was able to peer through a kitchen window and observed his mother in an armchair in the lounge room. She appeared to be sleeping and he assumed that she was drowsy due to the effects of her medication. He therefore left the residence and attended Mr Sterling's funeral. At the conclusion of the funeral he returned to his mother's address in company with his girlfriend, Ms Ashley Oakley. Attempts were made to rouse Ms Balmer by banging loudly on the windows and doors of the unit but this was not successful. At 11:25am, the landlord was contacted and he came to the unit to provide a set of keys in order to allow entry to the unit. When this was eventually successful, Kyle Balmer found his mother where he had initially observed her. Upon closer examination he could not detect any signs of life and he asked Ms Oakley to contact the ambulance service and police. Police officers and an ambulance arrived shortly thereafter and no resuscitation endeavours were commenced as Ms Balmer was deceased.

The police investigation determined no suspicious circumstances and an initial search of the immediate area where Ms Balmer was located revealed a quantity of different medications and their packaging. Of particular note was a packet of “Lyrica 75mg” medication. This prescription had been filled the day before with instructions to take one capsule at night. There were 14 capsules missing from the blister pack. Nearby Ms Balmer was a handwritten note addressed to Mr Sterling. This note appeared to be a eulogy prepared by Ms Balmer for Mr Sterling’s funeral and not a suicide note. A post-mortem examination found Ms Balmer had heavily congested lungs but no apparent anatomical cause of death. Toxicology testing of blood obtained at post-mortem revealed the presence of multiple prescription drugs. The forensic pathologist concluded that the probable mechanism of death was central nervous system depression following the ingestion of these drugs which then led to respiratory arrest.

Comments and Recommendations:

I have decided not to hold a public inquest hearing into this death because my investigations have sufficiently disclosed the identity of Ms Balmer, the date, place, cause of death, relevant circumstances concerning how her death occurred and the particulars needed to register her death under the *Births, Deaths and Marriages Registration Act 1999*. I do not consider that the holding of a public inquest hearing would elicit any significant information further to that disclosed by the investigations conducted by me.

I wish to convey my sincere condolences to Ms Balmer’s family.

Dated: 20 March 2015 at Hobart in the State of Tasmania.

Stephen Raymond Carey
Coroner