



MAGISTRATES COURT *of* TASMANIA

CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

Coroners Act 1995

Coroners Rules 2006

Rule 11

I, Robert Webster, Coroner, having investigated the death of Margaret Wood

Find, pursuant to Section 28(1) of the Coroners Act 1995, that

- a) The identity of the deceased is Margaret Wood (Mrs Wood);
- b) Mrs Wood died after falling and suffering a right femoral neck fracture;
- c) Mrs Wood's cause of death was decompensated frailty syndrome; and
- d) Mrs Wood died on 4 May 2020 at Hobart, Tasmania.

Introduction

In making the above findings I have had regard to the evidence gained in the comprehensive investigation into Mrs Wood's death. The evidence includes;

- The Police Report of Death for the Coroner;
- Affidavits verifying identity and life extinct;
- A report of the forensic pathologist Dr Andrew Reid;
- Affidavit of Ms Susan Ham;
- Mrs Wood's medical records obtained from her general practitioner;
- Records obtained from respect aged care which operated St Ann's residential aged care facility; and
- Report of the coronial medical consultant Dr Anthony Bell MB BS MD FRACP FCICM.

Background

Mrs Wood was born in Hobart on 29 September 1923 and was 96 years of age at the date of her death. She was the eldest child of Robert and Daisy Chandler.

Mrs Wood was married twice. Her first husband Mr Adam Clift died in a motor vehicle accident in 1959. Their marriage produced two children Gregory and Geoffrey Clift. Gregory Clift has passed away and Geoffrey Clift resides in the Northern Territory. Mrs Wood married her second husband Mr Christopher Wood in 1961. The marriage did not produce any children and ended in a separation in 1965 and divorce in 1970.

Mrs Wood was a teacher and taught art at New Town High School, Ogilvie High School and Tarooma High School. She retired in 1983.

Mrs Wood had an active life in retirement. She was involved in the arts as an artist and was involved in exhibitions and art organisations. She was interested in family history and she travelled. Mrs Wood volunteered with Lifeline, was a member of Sandy Bay Probus and regularly attended the University of the Third Age.

About 4 years prior to her death Mrs Wood became a resident of St Ann's residential aged care home. The main reason for this was she had macular degeneration and it was becoming increasingly difficult for her to live alone. In the last 2 years of her life she also had significant hearing loss and she developed the early signs of dementia. Her niece, Ms Ham,¹ says during that time there was a gradual decline in Mrs Wood's functional capacity and her weight steadily fell. Ms Ham believes that towards the end of her life Mrs Wood weighed around 37 kg and was receiving oral supplements of protein because of her weight loss. While she had some symptoms of dementia she could recognise her family and conversed with them although this became more limited towards the end of her life.

Ms Ham says her aunty was a very independent person and, having lived alone for many years, was not comfortable with people being close to her or touching her whether for the purposes of personal comfort or for care. Ms Ham does not believe her aunty was difficult to manage however her level of independence would have made it difficult, at times, for staff at St Ann's to provide highly personal care for her.

As a result of her physical decline Mrs Wood regularly used a walker and only used a wheelchair for longer trips. It was also due to her decline that she occasionally fell while a resident at St Ann's.

On 2 May 2020 Mrs Wood had an unwitnessed fall when utilising the bathroom. Staff had assisted her to the bathroom and then left her to use the toilet. When staff returned Mrs Wood was located on the floor.

¹ Because Geoffrey Clift resided in the Northern Territory, Ms Ham held Mrs Wood's power of attorney.

Ms Ham was advised of the incident. It was suspected Mrs Wood had fractured her hip in the fall. In accordance with her advanced care directive,² Mrs Wood was not transferred to the Royal Hobart Hospital. She was provided palliative care and died on 4 May 2020.

Investigation

The records of Mrs Wood's general practitioner have been obtained. Those records show that her general practitioner saw her on each occasion at St Ann's. In 2019 he attended to Mrs Wood on 39 occasions and in 2020, up until her death, he had consulted with Mrs Wood on 16 occasions. The records show Mrs Wood suffered from, amongst other things, hypertension, osteoarthritis, coeliac disease, macular degeneration and dementia.

A post mortem examination was conducted by Dr Andrew Reid. Dr Reid noted the fall and the right femoral neck fracture. He says Mrs Wood's old-age comorbidities satisfy the criteria for frailty especially her low BMI (15.5), dementia and osteoarthritis. He says she compensated and was stable until she suffered the fracture and then she decompensated and terminally declined. He therefore concluded the cause of death was decompensated frailty syndrome.³ I accept the opinion of Dr Reid.

I have examined the records provided by St Ann's. The coronial medical consultant, Dr Bell, has also examined those records. He notes staff had assisted Mrs Wood to the toilet and after positioning her they were asked to leave. This is consistent with what Ms Ham says was Mrs Wood's preference. There was clinical evidence of a fracture to the neck of the femur on the right-hand side and Mrs Wood was hoisted back to bed. Her general practice was contacted and pain relief commenced. A physiotherapist gave instructions with respect to her management in so far as moving her in bed. Palliative care was commenced and Mrs Wood died 2 days later. In reviewing the Falls Incident Reports, Dr Bell says the falls were appropriately managed and well documented. On each occasion the falls management plan was reviewed. In addition regular falls risk assessments were made. Dr Bell says there is an appropriate level of detail in those risk assessments to ensure an appropriate plan for management was put in place. I note in each of the assessments which were conducted on 6 May 2019, 27 December 2019, 6 February 2020, 8 March 2020 and 2 May 2020, Mrs Wood was assessed as high risk with respect to a fall. On the last two assessments, the assessment prescribes the use of hip protectors and there is a note Mrs Wood was not compliant at times. Dr Bell concludes by saying there are no issues with the level or standard of care

² St Ann's also contacted Ms Ham to confirm the advanced care directive.

³ Frailty syndrome has been defined as a clinically recognisable state of increased vulnerability resulting from aging-associated decline in reserve and function across multiple physiological systems such that the ability to cope with every day or acute stressors is compromised.

provided by St Ann's and Mrs Wood's palliative care was well-managed. I accept Dr Bell's opinion.

There were difficulties, due to COVID-19 restrictions, with family and friends being able to visit Mrs Wood. In the 2 months prior to her death Ms Ham was only able to see Mrs Wood on one occasion which she says was extremely difficult to organise and required significant advocacy on her part with the management of the nursing home. Ms Ham makes the valid point that because Mrs Wood had significant hearing loss and loss of sight, communication with her by Skype or by telephone was not adequate to provide the emotional and/or social support she needed. Ms Ham believes this would have had an impact on Mrs Wood's health and emotional well-being because she had received visitors on a regular basis. Although Ms Ham accepts St Ann's was following Commonwealth and State Government health rules for COVID-19 as well as their own rules she does not believe those rules adequately recognise the circumstances and the needs of very frail nursing home residents who are close to the end of their respective lives. Ms Ham says St Ann's eventually agreed Mrs Wood fell within the exceptional circumstances to the rules at the end of April 2020 and she was able to visit on 30 April 2020.

Ms Ham was advised on 2 May 2020 Mrs Wood had fallen which is when Ms Ham confirmed Mrs Wood was not to be sent to hospital. Her initial request to see Mrs Wood, given the COVID-19 restrictions, was refused. When Ms Ham contacted St Ann's on the morning of 3 May 2020 she was advised management had agreed she could visit her aunty. Geoffrey Clift and Ms Ham's sister were also permitted to visit that afternoon. The 3 of them also visited Mrs Wood on 4 May 2020.

Comments and Recommendations

Elderly people who are frail are less able to cope with acute trauma because various physiological systems within the body are compromised. It was this condition which ultimately caused Mrs Wood's death after she was unable to cope with the trauma, which is the fractured neck of femur, sustained in the fall.

There are no medical or nursing issues in this case.

Ms Ham makes the point that should there be restrictions in visiting residential aged care facilities in the future due to COVID-19, or some other future pandemic, the public-health orders and/or rules imposed on and implemented by the individual residential aged care facilities should provide a greater level of discretion to cater for the circumstances of residents, such as Mrs Wood, who are socially isolated with sight and hearing impairments and/or who are close to moving into end-of-life care. There is of course the other side of

the argument that the public health orders and/or rules imposed by governments on and implemented by residential aged care facilities were designed to protect the lives of both residents and staff. This is a vexed issue but it is one for health policy; it is not an issue for a Court. However I hope the issue Ms Ham raises along with many others that have arisen during the management of the COVID-19 pandemic are considered in any review by Government of the management of that pandemic so society is better equipped to manage any future pandemic.

The circumstances of Mrs Wood's death are not such as to require me to make any comments or recommendations pursuant to Section 28 of the *Coroners Act 1995*.

I convey my sincere condolences to the family and loved ones of Mrs Wood.

Dated: 2 December 2022 at Hobart Coroners Court in the State of Tasmania.

Robert Webster
Coroner