



**CORONERS COURT
NEW SOUTH WALES**

Inquest:	Inquest into the death of David HALL
Hearing dates:	17 March 2022
Date of findings:	17 March 2022
Place of findings:	NSW State Coroner's Court, Lidcombe
Findings of:	Magistrate C Forbes, Deputy State Coroner
Catchwords:	CORONIAL LAW-Death in custody-natural causes
File number:	2021/00018276
Representation:	Counsel Assisting Ms K Jiang, Coronial Advocates Unit Corrective Services Ms Heritage, DCJ legal Justice Health Ms Szulgit, Justice Health

REASONS FOR DECISION

Introduction

1. This is an Inquest into the death of Mr David Hall who was 55 years of age when he died in Cell 30 of the Medical Subacute Unit at the Long Bay Hospital within the Long Bay Correctional Facility at 5:15pm on Wednesday 20th of January 2021.

Inquest

2. The role of a Coroner as set out in s.81 of the *Coroner's Act 2009* ("the Act") is to make findings as to:
 - a. the identity of the deceased;
 - b. the date and place of the person's death;
 - c. the physical or medical cause of death; and
 - d. the manner of death, in other words, the circumstances surrounding the death.
3. This Inquest has been a close examination of the circumstances surrounding Mr Hall's death and pursuant to s.37 of the Act a summary of the details of this case will be reported to Parliament.

Background

4. Mr David Hall was born on 26th of May 1965. He was married and is survived by three adult children, two sons and one daughter. The family resided at their family home in Erskine Park. Mr Hall had three siblings, two brothers and a sister. Mr Hall's father passed away at a young age of 46 due to myocardial infarction, and his mother died at the age of 80 with bladder cancer.
5. Mr Hall worked for Linfox for over 20 years, started as a truck driver and was eventually promoted to a fleet manager.
6. On 9th of July 2019, Mr Hall was arrested and charged with child sex related offences. On 26th of June 2020, Mr Hall was convicted of the charged offences and was sentenced to imprisonment of 5 years and 3 months, with the earliest release date being 8th of October 2022. Mr Hall had no other criminal

history apart from these offences. He was housed in Cell 30 of the Medical Subacute Unit at the Long Bay Forensic Hospital within the Long Bay Correctional Facility at the time of his death due to worsening health conditions.

Medical History

7. As a child, Mr Hall was diagnosed with epilepsy, however, has never experienced any seizures.
8. Mr Hall was also tested positive for Tuberculosis.
9. In January 2017, he was diagnosed with relapsing and remitting Multiple Sclerosis, and received multiple lesions to the brain causing constant fatigue and lethargy. Prior to his incarceration, Mr Hall received intravenous Tysabri infusions once every five weeks at St Vincent's Hospital under the care of Dr. Ian SUTTON to treat the Multiple Sclerosis, with the last infusion in June 2019.
10. In August 2017, Mr Hall was diagnosed with Bladder Cancer and was treated at Nepean Hospital under the care of Dr Mohammed KHADRA. He underwent chemotherapy first, which was not successful. In April 2018, his bladder and prostate were removed after a Cystoprostatectomy and he was required to wear an ileostomy bag at all times after the operation. Mr Hall recovered well post operation with no symptoms of concern, however, reportedly began suffering from depression which was not treated.
11. On 11th of July 2019, Mr Hall entered into custody with his existing health conditions noted in Justice Health records; Bladder Cancer and Multiple Sclerosis. He received treatment from the Department of Oncology and the Department of Urology at the Prince of Wales Hospital whilst serving his imprisonment sentence.
12. In August 2020, whilst in custody at Long Bay Correctional Facility, a bone scan was conducted and he was diagnosed with Metastatic Urothelial Cancer. He underwent a left femoral prophylactic intramedullary nailing insertion and palliative radiation for his malignant neoplasm of bladder.
13. On 20th of September 2020, Mr Hall was admitted to the Prince of Wales Hospital due to large bowel obstruction and spinal cord compression. On 30th of September 2020, Mr Hall commenced radiotherapy for the Metastatic Urothelial Cancer. From this point onwards, he continued to receive various forms of palliative care for his cancer at the Prince of Wales Hospital.

14. On 16th of November 2020, Mr Hall elected not to be resuscitated. On 19th November 2020, an Advanced Care Directive was signed by Mr Hall and he was discharged and transferred to the Medical Subacute Unit at the Long Bay Forensic Hospital.
15. On 30th November 2020, Mr Hall stated to Justice Health that he wished to die in prison, and declined any futile medical treatment; all he wanted was to be kept comfortable while he was dying and did not wish to return to Prince of Wales Hospital even if it meant that there would be better management of his symptoms.
16. In December 2020, Mr Hall declined any further chemotherapy and his health conditions continued to deteriorate. He was provided with treatment focused on reducing and managing his pain.

Events leading up to death

17. On 18th January 2021, Mr Hall suffered a fall whilst using the toilet and was moved to Cell 30 for closer monitoring by Justice Health nursing staff. This was recommended numerous times over the weeks prior. However, Mr Hall had declined these recommendations until the fall.
18. On 19th January 2021, Mr Hall's conditions continued to deteriorate, and was managed by an increase administration of Morphine and sedation. He was observed by nursing staff to be "very breathless, pallor and presenting with increased weakness" but was described to be in "reasonable spirits and was laughing at jokes during his consult."
19. On 20th January 2021, Mr Hall stated to a social worker that he does not wish to be transferred to the hospital. His condition deteriorated significantly and was unable to take any oral medications. At 9:30am on the same day, it was noted by nursing staff that he had entered the Terminal Phase and was only able to respond coherently with one or two-word answers with pain at a scale of three out of ten. He understood that he was dying and was granted open door and radio privileges. By 1:30pm, Mr Hall became non-verbal and was not responsive. At 4:30pm, Mr Hall's family said their goodbyes over the phone. He showed no signs of distress or agitation.
20. At 5:15pm on 20th January 2021, Mr Hall was pronounced life extinct.

Investigation following the death

21. After the Mr Hall's passing, Cell 30 was secured, the death was reported to corresponding managers at Corrective Services and Maroubra Police was notified.
22. At 6:50pm on 20th January 2021, Police attended. Photographs of the scene were taken. Statements were obtained from Justice Health nurses and Corrective Officers. Relevant records and casefiles were also obtained from Justice Health and Corrective Services.
23. CCTV footage at the Medical Subacute Unit was obtained and reviewed by Police. The footage commences from 4:30pm on 20 January 2021 and covers the nurse station and doors to cells 30 to 32 (from right to left). The CCTV does not however show the inside of the cells nor is the bed occupied by Mr Hall visible. No suspicious activities could be identified after a review of the CCTV footage.
24. A statement was obtained from the Senior Next of Kin, who was overall satisfied with the treatment and care the deceased received in custody. Mrs Hall was provided with regular updates regarding Mr Hall's conditions.
25. The Officer in Charge has conducted a comprehensive investigation and he concluded that all of Mr Hall's requests were addressed and granted by Justice Health in an efficient manner. There were no suspicious circumstances, or any care and treatment issues identified.
26. On 25 January 2021, an external post mortem examination was conducted; the forensic pathologist determined the cause of Mr Hall's death to be due to "Consequences of Urothelial Cancer".
27. I am satisfied that Mr Hall's death was due to natural causes and that he was provided with appropriate care for his pre-existing conditions whilst in custody. No care and treatment concerns have been identified or raised.

Findings: s 81 Coroners Act 2009

I find that David HALL died on 20 January 2021, in Cell 30 of the Medical Subacute Unit at the Long Bay Hospital within the Long Bay Correctional Facility in the State of NSW. The cause of his death was the consequences of urothelial cancer. The manner of his death was natural causes.

Magistrate C Forbes

Deputy State Coroner

17 March 2022

