

IN THE CORONERS COURT  
OF VICTORIA  
AT MELBOURNE

Court Reference: COR 2011 / 3763

**FINDING INTO DEATH WITH INQUEST**

*Form 37 Rule 60(1)*

*Section 67 of the Coroners Act 2008*

**Inquest into the Death of: DOROTHY MERLE LANE**

Delivered On:	28 November 2013
Delivered At:	Coroners Court of Victoria Level 11, 222 Exhibition Street, Melbourne
Hearing Dates:	28 November 2013
Findings of:	PHILLIP BYRNE
Representation:	
Police Coronial Support Unit	Sgt David Dimsey

I, PHILLIP BYRNE, Coroner, having investigated the death of DOROTHY MERLE LANE

AND having held an inquest in relation to this death on 28 November 2013

at Melbourne

find that the identity of the deceased was DOROTHY MERLE LANE

born on 15 November 1926, aged 84 years

and the death occurred between 1 October 2011 and 3 October 2011

at 29 Fraser Street, St Kilda West 3184

**from:**

1 (a) COMPLICATIONS OF MIXED DRUG TOXICITY (MORPHINE, ZOLPIDEM AND ALPRAZOLAM) IN A WOMAN WITH A URINARY TRACT INFECTION AND ISCHAEMIC HEART DISEASE

**in the following circumstances:**

1. The related deaths are those of an 84 year old lady and her 54 year old daughter.
2. The circumstances are truly sad. Mrs Lane who resided in a nursing home was visiting her daughter Ms MacDonald for the weekend.
3. Mrs Lane was suffering from a number of serious ailments including cancer in respect of which she was to have surgery on 4 October 2011.
4. An arrangement was made that Mrs Lane would stay with her daughter for the weekend to watch the AFL grand final and then return to Central Park Aged Care Facility on Monday 3 October 2011.
5. On Saturday 1 October 2011 Mr Ken MacDonald received a voice message from his sister stating that Mrs Lane had advised her she "wanted to die". The following day Mr MacDonald spoke with his sister and questioned her about the voice message. Ms MacDonald told him that "out of the blue" Mrs Lane had stated she wanted to die. Mr MacDonald was apparently satisfied that all was well with his mother and sister as they seemed to be having a good time together watching the football.
6. At about 7.30pm on Monday 3 October 2011 Mr MacDonald received a phone call from Central Park informing him that Mrs Lane had not returned as planned.

7. Mr MacDonald and his wife attended at the Fraser Street, St Kilda West address and found his mother and sister in bed; Ms MacDonald unresponsive and Mrs Lane breathing in with what he described as a "rattly manner." An ambulance was called; paramedics confirmed Ms MacDonald was dead and Mrs Lane in dire condition. Mrs Lane subsequently passed away in the Alfred Hospital (where she had been palliated) on 5 October 2011 at 2.33pm.
8. Autopsies were carried out at the Victorian Institute of Forensic Medicine (VIFM) by Forensic Pathologist Dr Jacqueline Lee who advised cause of death to be:
  - 1 (a) complications of mixed drug toxicity (morphine, zolpidem and alprazolam) in a woman with a urinary tract infection and ischaemic heart disease
9. Police attended the Fraser Street, St Kilda West residence where they located a large amount of medications including anti depressants. It is clear that Ms MacDonald had been storing much of her prescribed medication. Some twelve months before the deaths. Mr MacDonald had raised with his sister concerns that she was retaining amounts of "out of date" medications.
10. Ms MacDonald had been treated for post traumatic stress disorder and depression over many years and had from time to time expressed suicide ideation.
11. Mrs Lane was diagnosed with dementia in 2008. That together with other medical issues including a significant deterioration in mobility resulted in her becoming a resident at Central Park Aged Care Facility.
12. Upon attendance at the Fraser Street, St Kilda West residence police located three envelopes containing handwritten letters. Two of those handwritten letters penned by Ms MacDonald were addressed to her brother Mr MacDonald.
13. In one of those poignant letters, Ms MacDonald states that her mother expressed a wish to die and asked her daughter to "help her die" and it would represent "voluntary euthanasia". The letter refers to crushing tablets for Mrs Lane to swallow unassisted.
14. These letters clearly indicated Ms MacDonald intended to take her own life. It also establishes that she proposed to some extent to assist her mother to die.
15. In his statement, Mr MacDonald makes reference to a conversation he had with either his mother or sister some seven years before when the issue of assisted suicide was raised. Mr MacDonald says his mother did not agree with the prospect of mother and daughter ending their lives together, his mother stating she wanted to see her first grandchild born. Mr

MacDonald says that after that conversation the issue was never raised again. He further states that nothing in his sister's demeanour over the last six months indicated she was contemplating this action.

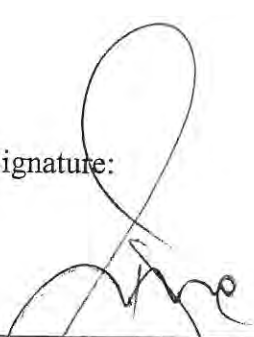
16. The contentious issue in my view is what if any understanding and input did Mrs Lane have in the sad episode that ultimately resulted in the death of mother and daughter?
17. Was Mrs Lane a willing and informed party to the decision? That is a difficult matter, particularly as Mrs Lane suffered from dementia. Was she in a position to make an informed decision as to ending her own life with or without assistance?
18. To conclude a person intentionally took their own life (assisted or otherwise) is a finding of great moment and should only be made on compelling evidence, not mere speculation.
19. I accept that Ms MacDonald in one of the letters located by police said her mother asked her to "help her die" however, that claim cannot, for obvious reasons be verified.
20. I am unable therefore to be satisfied Mrs Lane knowingly intended, with assistance of her daughter, to take her own life; that is a matter will remain unresolved.

I direct that a copy of this finding be provided to the following:

Mr Kenneth MacDonald

Detective Senior Constable Eleanor Vallas, St Kilda Crime Investigation Unit

Signature:

  
PHILLIP BYRNE  
CORONER  
Date: 28 November 2013

