

IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

Court Reference: 4364 / 2012

FINDING INTO DEATH WITH INQUEST

Form 37 Rule 60(1)

Section 67 of the Coroners Act 2008

Inquest into the Death of: HUSSAN RUSHTON

Delivered On: 29 October 2013

Delivered At: Coroners Court of Victoria
222 Exhibition Street Melbourne

Hearing Dates: 29 October 2013

Findings of: CORONER K. M. W. PARKINSON

Police Coronial Support Unit Leading Senior Constable King Taylor

I, K. M. W. PARKINSON, Coroner having investigated the death of HUSSAN RUSHTON

AND having held an inquest in relation to this death on 29 October 2013

at the Coroners Court of Victoria

find that the identity of the deceased was HUSSAN RUSHTON

born on 12 January 1983

and the death occurred on 14 October 2012

at 26 Banff Street Reservoir

from:

1 (a) BRONCHOPNEUMONIA IN A MAN WITH EPILEPSY

in the following circumstances:

1. Mr Hussan Rushton was born on 12 January 1983 and he was 29 years old at the time of his death. Mr Rushton was a person in care as defined by Section 3 of the **Coroners Act 2008** (“the Act”) and accordingly his death was reportable pursuant to Section 4(c) of that Act. An inquest into his death is mandatory pursuant to Section 52 (2) (b) of the Act.
2. Mr Rushton had a number of significant health issues including, epilepsy, spastic quadriplegia, dysphasia and cortical blindness. He resided in full time residential care provided by the Department of Human Services at Banff Street Residential Care Unit Reservoir. Mr Rushton required comprehensive personal care and assistance with all activities of daily living. His carers describe that he communicated well by gestures and facial expressions. He had not been apparently unwell in the days prior to his death. He was regularly attended by his GP Dr Ala Alethan and was last seen by Dr Alethan in August 2012. Mr Rushton was also reviewed by specialist clinicians for epilepsy management. Comprehensive care records were maintained by the residential facility
3. On 14 October 2013, Mr Rushton went on an outing to the Plenty Gorge Parklands. Upon his return at approximately 4.00pm, his carers noticed that he was extremely tired as he had his thumb in his mouth. He was assisted to his room and placed in his usual resting position on the bed. This position was stomach down with his head to one side on a pillow. He was observed to place his thumb in his mouth again and was left to rest.

4. Approximately half an hour later a carer attended his room and located Mr Rushton , who was unresponsive. The carer observed blood on the pillow and on further investigation observed that he was bleeding from the nose and mouth. Resuscitation measures were commenced and an ambulance was called.
5. MICA paramedics, despite defibrillation and CPR, were unable to revive Mr Rushton and he was deceased at the scene.
6. An autopsy was undertaken by a Forensic Pathologist of the Victorian Institute of Forensic Medicine. The pathologist reported that there was evidence of previous cerebral infarction and evidence of bronchopneumonia in the left lower lobe and a focus of myocarditis in the right ventricle. Post mortem toxicology was consistent with therapeutic use. The pathologist reported that a reasonable medical cause of death was:
 - 1 (a) Bronchopneumonia in a man with epilepsy.
7. I am satisfied that there were no suspicious circumstances relating to the death and that the death was due to natural causes.
8. I find that Mr Hussan Rushton died on 14 October 2012 at 26 Banff Street, Reservoir and that the cause of his death was Bronchopneumonia in a man with epilepsy.

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

The family of Mr Hussan Rushton;
The Interested Parties;
The Investigating Member Victoria Police.

Signature:



CORONER K. M. W. PARKINSON
Date: 29 October 2013

