

IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

Court Reference: COR 2009 / 2330

FINDING INTO DEATH WITH INQUEST

Form 37 Rule 60(1)

Section 67 of the Coroners Act 2008

Inquest into the Death of: JADE LESLEY DOROGI

Delivered On:	20 December 2013
Delivered At:	Coroners Court of Victoria Level 11, 222 Exhibition Street Melbourne 3000
Hearing Dates:	2 nd August 2013
Findings of:	JOHN OLLE, CORONER
Representation:	Mr N. Dunstan, on behalf of the family Mr J. Hannebery, on behalf of Daniel Mobbs
Police Coronial Support Unit	Sergeant D. Dimsey

I, JOHN OLLE, Coroner having investigated the death of JADE LESLEY DOROGI

AND having held an inquest in relation to this death on 2 August 2013

at Melbourne

find that the identity of the deceased was JADE LESLEY DOROGI

born on 6 November 1983

and the death occurred on 6 May 2009

at Western Hospital, 148-160 Gordon Street, Footscray 3011

from:

- 1 (a) CEREBRAL HYPOXIA AND MULTISYSTEM ORGAN FAILURE
- 1 (b) HEROIN (MORPHINE) TOXICITY

in the following circumstances:

1. Jade Dorogi was aged 25 years at the time of his death. He lived at 8 Moreton Court, Hoppers Crossing.
2. The coronial brief is comprehensive and has fully addressed the tragic circumstances of Jade's death.¹

Coronial background

3. In March 2013, I was assigned carriage of this investigation². A Direction Hearing was held on 24 May, 2013 to identify the scope of the inquest. Both the family and Mr Mobbs were represented. Following submissions, I indicated the inquest would focus on the manner in which Jade ingested heroin on the night of his death.

At inquest

4. The inquest was conducted on 2 August 2013. Despite the devastating loss suffered by Jade's family, I take this opportunity to commend their dignity throughout the proceeding.
5. Further, I acknowledge the role of my assistant, Sgt Dimsey and members of Counsel, Mr Hannebery for Mr Daniel Mobbs and Mr Dunstan on behalf of the family.

¹ A copy of the coronial brief will remain in the court file

² Due to the impending retirement of the investigating coroner

Background

6. Jade lived with his parents and worked as a plasterer. Sadly, drug addiction was the scourge of his life. He had displayed sporting prowess and had excellent work prospects. He was well respected by immediate family, extended family, friends, work colleagues and team mates.

Circumstances

7. Jade and his cousin Daniel Mobbs were close friends. Regrettably, illicit drugs were their common interest and their days spent feeding their addiction.
8. Jade used a variety of illicit drugs but not heroin. Dwayne Russell was a friend of Daniel and Jade. In his statement, Dwayne stated Jade wanted to try heroin:

“He would always ask Daniel to get him some to try, when they would get ice and heroin Jade always would want Mobbsy to give him some, but he wouldn’t. He didn’t want Jade to end up the same way as his two brothers, who had died from heroin overdose.”³

9. Despite losing two brothers to heroin overdose, Daniel was a heroin user.

Chronology of events

10. In respect to the events of 4 May, 2009 I am satisfied of the following:
 - Jade collected Daniel
 - Prior to the night, Jade was not a heroin user
 - Daniel obtained heroin from 4 Laverton Street
 - Daniel and Jade ingested heroin in Jade’s motor vehicle
 - Jade overdosed and was observed slumped over the steering wheel
 - Daniel stated that he had “killed his cousin”
 - The car was driven from Laverton Street and subsequently pulled over to the side of a freeway
 - Jade was semi conscious on the side of the road

³ Statement Dwayne Russell inquest brief page 31

- A passer by observed Daniel significantly drug affected and appeared oblivious to his surroundings
- The ambulance service was called and found Daniel performing CPR on Jade
- On 7th May Daniel attended the home of Jade's and removed new and used syringes from the car and disposed of them
- Jade had previously injured the thumb of his left hand and could only have injected the needle into his right arm with difficulty
- Daniel is unable to recall the events of 4 May 2009, in particular the manner in which Jade ingested heroin.

11. I am unable to find:

- Whether Daniel assisted Jade inject heroin
- Whether Daniel's comments outside the premises that he had "*killed his cousin*" referred to obtaining the heroin which caused the overdose, encouraging Jade to use heroin, assisting Jade to inject the heroin, failing to immediately seek ambulance attendance or some other reason.
- The means by which the vehicle travelled from Laverton St to the side of the freeway.
- The reason Daniel disposed of the syringes in the 7th May

Evidence of Daniel Mobbs

12. At inquest I granted a S. 57 certificate.

13. Daniel could not recall the evening's events. Daniel was aware that Jade had not previously used heroin and was acutely aware of the high risk of overdose for heroin naïve persons. He acknowledged occasions heroin users would assist each other to inject heroin, though denied personally doing so.

14. Daniel was highly critical of his failure to perform CPR and/or call for ambulance assistance. He is adamant were he not significantly drug affected, he would have done so. Further, he would have ensured Jade only used a small amount of heroin. He gave compelling evidence that despite having no recollection of the evening's events, in

particular Jade's injection of heroin, an appropriate response would have saved Jade's life. He explained the appropriate response:

"I would have rang an ambulance and started CPR, make sure he was getting oxygen into his lungs I would have done.

Question: And is that something you've thought about for some time?

Answer: I think about it nearly every day. I think about it nearly every day, you know.

Question: And your families haven't had any contact since? What's happened there?

Answer: No, we don't."⁴

15. In my view, the evidence does not allow a finding that Daniel understood the gravity of Jade's condition and further, it remains a matter of speculation whether the tragic consequences of Jade's heroin overdose could have been averted in any event. Daniel apologised to Jade's family for his failure, describing himself as an idiot.
16. Mrs Darogi does not accept that Jade would have voluntarily used heroin. Further, in view of his injured thumb, she does not believe it was physically possible for Jade to inject into his right wrist.
17. On the evidence, I am unable to determine either issue.
18. Daniel was well aware of the lethal potential of heroin in a heroin naïve person. Further, his brothers had died of heroin overdose and he would never encourage a heroin naïve person to use. Daniel was addicted to heroin, which he freely acknowledged had ruined his life.
19. There is no evidentiary basis to find Daniel encouraged Jade to use heroin. On the evidence of Daniel, and the statement of Dwayne, Daniel had always steadfastly resisted Jade's wish to use heroin.
20. I offer my sincere condolences to the family of Jade. I acknowledge the determined efforts of Mrs Dorogi to seek clarity to understand the tragic circumstances in which Jade overdosed. Sadly, on the evidence, I cannot provide the clarity she seeks.

⁴ Pages 25 and 26 inquest transcript

Post Mortem Medical Examination

21. On the 13th May 2009, Dr Malcolm Dodd Senior Forensic Pathologist at the Victorian Institute of Forensic Medicine performed an autopsy on the body of Jade Lesley Dorogi.
22. Dr Dodd found the cause of death to be cerebral hypoxia and multisystem organ failure and heroin (morphine) toxicity.
23. Dr Dodd commented:

“The cause of death in this case would appear to be one of cerebral hypoxia and multisystem organ failure following on from the administration of heroin.

The summary of circumstances report indicates that the deceased was transferred to hospital after being found in a motor vehicle.

The initial impression was that of a possible drug overdose.

The post mortem examination showed, externally, the suggestion of needle track marks in the right antecubital fossa.

The internal examination showed nonspecific changes.

Histological examination showed hypoxic changes within brain, kidney and liver in tandem with scattered areas of acute bronchopneumonia.

Toxicological analysis of ante mortem blood samples disclosed the presence of morphine in plasma and urine.

Alcohol was not detected.

Methamphetamine and amphetamines were both detected in blood samples obtained at 0603 hours on the 5th of May 2009.

This sample represents the earliest blood collection presumably at the time of immediate medical intervention.”⁵

Finding

I find the cause of death of Jade Dorogi to be cerebral hypoxia and multisystem organ failure and heroin (morphine) toxicity.

⁵ Dr Dodds post mortem report

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

The Family of Jade Dorogi

Detective Senior Constable Corey Page, Investigating Member of Victoria Police

Signature:

A handwritten signature in black ink, appearing to be 'JOHN OLLE', written over a horizontal line.

JOHN OLLE
CORONER
Date: 20 December 2013

