

IN THE CORONERS COURT  
OF VICTORIA  
AT MELBOURNE

Court Reference: 1348/2011

**FINDING INTO DEATH WITH INQUEST**

*Form 37 Rule 60(1)*

*Section 67 of the Coroners Act 2008*

**Inquest into the Death of: MICHAEL CLEARY**

Delivered On: 4 June 2012

Delivered At: Melbourne

Hearing Dates: 4 June 2012

Findings of: K.M.W.PARKINSON

Police Coronial Support Unit      Leading Senior Constable Tania Cristiano

I, K.M.W.PARKINSON, Coroner having investigated the death of MICHAEL CLEARY

AND having held an inquest in relation to this death on 4 June 2012

at Melbourne

find that the identity of the deceased was MICHAEL CLEARY

born on 16 October 1931

and the death occurred on 14 April 2011

at The Royal Melbourne Hospital, Grattan Street, Parkville, Victoria 3052

**from:**

1a. SEPTICAEMIA – SEPTIC ARTHRITIS (RIGHT KNEE)

**in the following circumstances:**

1. Mr Michael Cleary was born on 16 October 1931 and was 79 years old at the time of his death. Mr Cleary was a person in care as defined by Section 3(i) 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 Cleary’s health deteriorated significantly as a result of injury he sustained in a fall from a truck on 18 March 2011, which he had been cleaning whilst working at Ferntree Gully Market. Mr Cleary declined medical treatment at that time. Despite a further serious deterioration in his health and despite his family arranging attendance by ambulance to his home on two occasions he declined treatment.
3. On 23 March 2011 he was assessed as requiring of care by mental health clinicians and an order was made under Section 9 of the *Mental Health Act 1986* and he was admitted to care.
4. Mr Cleary was transported by ambulance to the Royal Melbourne Hospital. He was diagnosed with sepsis, renal failure and dementia and admitted to the Intensive Care Unit. He continued to deteriorate and Mr Cleary died on 14 April 2011.
5. An inspection and report was undertaken by Dr Paul Bedford, Forensic Pathologist with the Victorian Institute of Forensic Medicine. Dr Bedford stated that a reasonable medical cause of death was 1a. Septicaemia – Septic Arthritis Right Knee.

6. I am satisfied that Mr Cleary's medical care and management was reasonable and appropriate and that interventions by all health services were timely and appropriate.
7. I find that Mr Michael Cleary died on 14 April 2011 at the Royal Melbourne Hospital and that the cause of his death was Septicaemia – Septic Arthritis Right Knee.

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

The family of Mr Michael Cleary  
Investigating Member, Victoria Police  
Interested parties

Signature:



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K.M.W.PARKINSON  
CORONER  
6 June 2012

