

Ruth O'Reilly

From: T McGleenan [REDACTED]
Sent: 10 June 2004 07:16
To: roreilly@ [REDACTED]
Subject: Re: RE: UTV insight

Hi Ruth,

I mentioned the "dehydration" issue on death certificates and how this should be a trigger for referral for a Coroner's investigation.

The relevant passage from the Shipman Inquiry Report:

6.14 In general, if a registrar communicates with the coroner's office about a death, it is because one of the following circumstances has arisen:

The doctor completing the MCCD has indicated that s/he has reported 'this death to the Coroner for further action'. If that has been done, the registrar cannot register the death without ensuring that the coroner has completed his/her enquiries into the death. The coroner will usually give notice that s/he has completed his/her enquiries and intends to take no further action by issuing a Form 100A: see paragraph 9.

The cause of death (or certain words used to describe the cause of death), as certified by the doctor, is one which the registrar has been instructed should be referred to the coroner. This might arise, for example, if the word 'dehydration' (which might suggest an element of neglect) or 'fracture' (which might mean that the death was due to an accident and, therefore, violent or unnatural) appears within the causes of death stated. Another example would arise if the registrar took the view that the cause of death certified amounted to a 'mode of dying', rather than a cause of death.

The informant or another member of the deceased's family gives the registrar information that suggests that the death might fall into one of the categories referred to in regulation 41. The Inquiry was told that this most commonly occurs in the case of industrial disease; for example, when the deceased dies of a respiratory condition and the family tells the registrar that s/he was in receipt of a pension relating to byssinosis contracted when working in the cotton industry. Such cases should result in an autopsy and inquest.

There is disclosed on the face of the MCCD information that suggests that the death should have been reported to the coroner by reason of the statutory requirements or because of a 'local rule' operated by the coroner. Regulation 41(1)(b)(ii) requires that a death must be reported to the coroner, if the certifying doctor did not see the deceased either after death or within 14 days before the death (the 'either/or rule'). However, many coroners have a 'local rule' whereby all deaths where the certifying doctor did not see the deceased during the 14 days before death must be reported, irrespective of whether the doctor saw the deceased after death. Another common local rule requires deaths occurring within a certain period (usually 24 hours) after admission to hospital to be reported.

See also:

http://www.the-shipman-inquiry.org.uk/tr_page.asp?id=110

I'll send a draft copy of my report to you in a separate mail subject to the undertaking you have given to me.

As for my title: My preference - Professor Tony McGleenan, Barrister. If you can give UU a credit that would be nice, if not, no problem.

thanks

Tony

UTV

069B-023-140

--Original Message-----

From: "Ruth O'Reilly" <[REDACTED]>
To: "T McGleenan" <T.McGleenan@[REDACTED]>
Date: Wed, 9 Jun 2004 13:11:12 +0100
Subject: RE: UTV Insight

Hi Tony,

Many thanks again for the interview.

I just wanted to remind you to e-mail me a copy of your report, if that's OK. We've no intention of reproducing it in the programme. It's more for our own reference (plus we have a meeting tomorrow with our own lawyers and want to be fully prepared).

Also, I forgot to ask you your title and designation. Is it Professor Tony McGleenan/University of Ulster? Tony McGleenan/Professor of Law? Professor Tony McGleenan/Barrister?

I'll keep you updated as the programme progresses.

Yours,

Ruth

This e-mail, and any attachment, is confidential. If you have received it in error, please delete it from your system, do not use or disclose the information in any way and notify me immediately. The contents of this message may contain personal views, which are not the views of UTV unless specifically stated.

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