



An Roinn Dlí agus Cirt
agus Comhionannais
Department of Justice
and Equality

Office of the State Pathologist

Annual Report 2017



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Foreword

by State Pathologist, Prof. Marie Cassidy

I am pleased to present the 2017 Annual Report for the Office of the State Pathologist. It was our first full year in our new premises on Griffith Avenue, Dublin 9. At last we have a permanent home and we can look forward to a bright future.

The Office of the State Pathologist strives to provide an expert service to the Coroners, 365 days of the year, 24/7. We work closely with An Garda Síochána and provide unbiased expert testimony in the Criminal Courts. We have a complement of three full time forensic pathologists with assistance from Dr. Bolster in Cork. In September 2018, an acting Deputy will join the team. It is hoped that she will be fully trained by 2020 when there will be four full time forensic pathologists serving the State.

Since 2007, there has been a decline in the number of homicides per year in Ireland. Despite that, the number of requests for the State Pathologists to assist in investigation

of deaths is rising. This is in part due to recognition of the increasing complexity of many deaths investigations. As the number of pathologists in Office of the State Pathologist increases we would hope to provide a wider service to the State, offering support and advice, not only to the Coroners and An Garda Síochána, but also to those histopathologists providing an autopsy service to the Coroner.

The next challenge for the Office of the State Pathologist will be to secure recognition of the speciality of Forensic Pathology in Ireland. Forensic Pathology is recognised in the UK, USA and most of Europe. Without recognition, we cannot offer a training scheme for Forensic Pathology in Ireland. Only once it is recognised, can we secure the future of the Office of the State Pathologist by providing home-trained Forensic Pathologists.

Prof. Marie Cassidy
State Pathologist

Introduction

The Office of the State Pathologist (OSP) provides a national, year round, forensic pathology service in Ireland. Forensic pathology is the discipline of medicine that deals with the determination of the cause of death for legal purposes. Forensic pathologists are medical doctors who are trained in anatomical pathology, histopathology and the interpretation of injuries.

The Office provides independent expert advice on matters relating to forensic pathology and performs post mortem examinations in cases where foul play is suspected. These are known as “State” cases. The forensic pathologists provide a post mortem report to the relevant Coroner in such cases and attend at the inquest and at any court proceedings arising out of a Garda investigation to provide expert opinion. The Office also performs post mortem examinations in non-suspicious deaths for the Dublin Coroner on a rotational basis. These are known as “coronial” or “non-forensic” cases.

The Office of the State Pathologist is headed by the State Pathologist, Prof. Marie Cassidy, and she is assisted by two Deputy State Pathologists, Dr. Mike Curtis and Dr. Linda Mulligan, and a part-time Assistant State Pathologist, Dr. Margot Bolster. The forensic pathologists are supported in their work by a small administrative staff and a histopathology scientist.

The main activity of the Office is the performance of post mortem examinations in cases of sudden, unexplained death where a criminal or suspicious element is present. In approximately 20 to 25% of cases, this also involves a visit to the scene of death. The pathologists deal with homicides, as well as a wide range of natural and unnatural deaths, for example road traffic accidents, other accidents and drug-related deaths.

The Office also deals with a significant number of other types of cases. These

include skeletonised remains cases, which may require the expertise of a forensic anthropologist; cold case reviews; and referred cases, which are cases that are referred for a further professional opinion and are usually from outside the Irish jurisdiction (e.g. Northern Ireland, UK).

On a case by case basis, and following discussion with the relevant Coroner, the forensic pathologists may deem it necessary for another forensic specialist to be involved in the investigation of a suspicious death. The specialist areas most frequently required are Forensic archaeology; Forensic anthropology; Neuropathology; Paediatric pathology; Post mortem toxicology; and Forensic entomology.

A significant proportion of the pathologists’ work involves out-of-office activities, such as attendance at inquests, attendance at the criminal or civil courts, provision of expert advice to various groups (e.g. National Emergency Framework, National Drug-Related Death Index, Government bodies and Commissions).

Teaching of medical students at both undergraduate and post-graduate level is also an important part of the service provided by the Office. The OSP is closely affiliated with the Royal College of Surgeons of Ireland (RCSI) and also provides lectures for Trinity College Dublin, University College Dublin, Galway University and Cork University. Medical students and qualified doctors often spend time attached to the Office as part of their required electives.

The Office of the State Pathologist is located on Griffith Avenue in Dublin 9. The Office relocated in July 2016 to its current building, which was formerly the Whitehall Garda Station, following a very successful joint refurbishment project. The OSP is located on the first floor of the building,

while the Dublin City Mortuary is on the ground floor. All histological material for the “State” forensic cases is processed on-site in Whitehall at the new histopathology laboratory. Toxicology samples are processed by the State Laboratory in Backweston, Co Kildare.

Overview of 2017

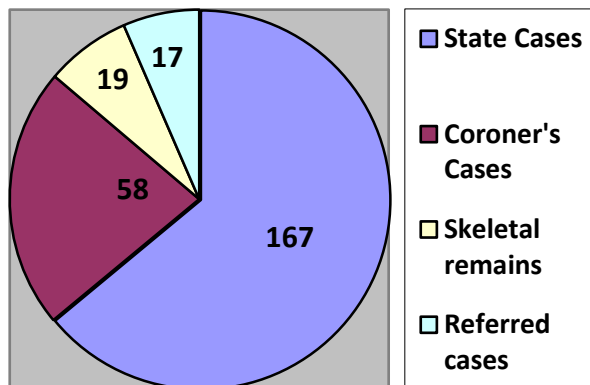
Overall Caseload:

Forensic casework is the core work of the Office of the State Pathologist. A comprehensive recording system provides a detailed overview of the casework handled by the Office. It also ensures that all of its records are retained and stored according to HSE guidelines and in line with General Data Protection Regulations.

During the year, 261 cases were dealt with by the Office, which represents a small increase in the number of cases dealt with when compared with the 2016 figure of 255 cases.

Figure 1 below shows the breakdown of the total caseload into the four different case types (State cases, Coroner cases, Skeletal remains and Referred cases).

Figure 1: Total Cases January - December 2017



The majority of the cases in 2017 were “State” forensic cases, which amounted to 64% of the total workload (167 cases). The “State” cases can also involve a visit to the scene of death, as well as a post mortem examination. Attendance at the scene of death was recorded in 17.5% of such cases.

58 adult coronial/non-forensic autopsies were carried out under the jurisdiction of the Dublin Coroner (Dr. Myra Cullinane).

There were 19 cases of skeletonised remains, 14 of which were documented as animal bones and 5 were identified as

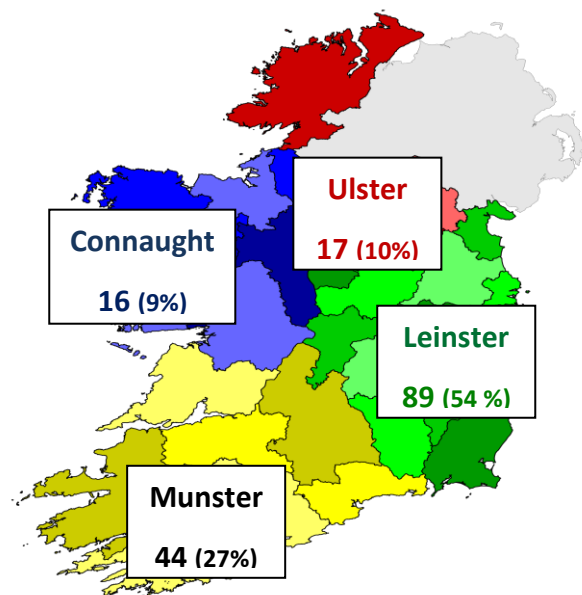
human bones. The 5 cases of human remains were found to be ancient and were therefore referred to the National Museum of Ireland.

17 cases were referred to the Office for expert opinion. The amount of material to be reviewed in these cases often required a significant input from the individual pathologist, including liaising with the referring Gardaí, solicitors or coroners, reviewing all relevant records and compiling a report. These cases can also involve a court appearance. On average, each case requires approximately 10 hours work, although some cases may require almost double that amount of time.

National Service - Geographical Spread of Cases:

The Office provides a national forensic pathology service in Ireland and as a result the case spread encompasses a wide geographic area. Figure 2 below shows the distribution of “State” cases throughout the country in 2017*.

Figure 2: Distribution of State Cases in Ireland 2017*



*Note: Information regarding location was only readily available at time of compilation in 166 of the 167 cases.

57 of these “State” cases were in Dublin and a further 26 cases were carried out within a 50 mile radius of the capital (Drogheda, Naas, Navan and Portlaoise). These 83 cases amount to 50% of all the “State” cases in 2017.

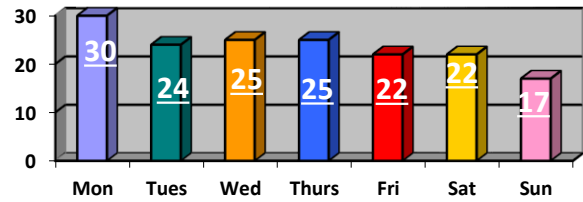
Scene visits are only deemed necessary in certain cases due to the circumstances of death. In 2017 for the scenes that were visited, 60% of scenes visited were in Leinster, 37% were in Munster and 3% in Ulster. No scenes needed to be visited in Connaught.

All Year Round Service:

The Office provides an on-call service 7 days per week, 365 days a year. There is always a forensic pathologist on duty. The on-call rota is provided to An Garda Síochana and to all Coroners on a continual basis.

The distribution of cases according to the day of the week on which the “State” post mortems were performed is set out in Figure 3 below*. In 2017, 34% of cases (56 of the 165) occurred on the same day as another case. This required the services of either two forensic pathologists in different parts of the country or for one pathologist to carry out two post mortem examinations in the same mortuary or to travel between mortuaries to conduct the post mortems.

Figure 3: Number of post mortems performed per day of the week*



*Note: The day of the week for two post mortems was not readily available at the time of compilation.

Financial Information

The Office of the State Pathologist is funded from Subhead B.19 of the Justice Vote. In 2017, the Office received a total budget allocation of €949,000 and its total expenditure was €889,212. The expenditure is broken down between pay and non-pay costs in Figure 4 below.

Figure 4:
Breakdown in Expenditure for 2017

	2017 Budget Allocation	2017 Actual Outturn
Pay	€740,000	€718,564
Non-Pay	€209,000	€170,647
Total	€949,000	€889,212

Protected Disclosures

The Office of the State Pathologist has adopted the Protected Disclosure Policy of the Department of Justice and Equality as its policy on protected disclosures in the workplace. In line with the reporting requirements, it is confirmed that there were no protected disclosures reports received in 2017.

Governance and Internal Controls

The Office of the State Pathologist is independent in its functions and reports to the Department of Justice and Equality in terms of governance.

Annual Oversight and Performance Agreements are in place between the Office of the State Pathologist and the

Department of Justice and Equality., Copies are available on www.justice.ie. The State Pathologist provides a Compliance Statement in respect of the work the Office to the Minister for Justice and Equality in accordance with the 2016 Code of Practice for the Governance of State Bodies.

Regarding compliance with the 2016 Code of Practice for the Governance of State Bodies, the “Comply or Explain” provision of the Code has been applied to the Office of the State Pathologist. As the Office is a small non-statutory body that falls under the Justice Vote (Vote 24), it does not have its own Internal Audit Unit or Audit & Risk Committee and it is not required to produce Financial Statements.

Arrangements have been put in place to provide the Office with access to the Department’s Internal Audit and Audit & Risk Committee in relation to financial governance. The Office is also supported by the Department’s Financial Management Unit who report on the Office’s income and spending in their monthly management reports. The monthly reports are kept under review by the State Pathologist and procedures are in place to ensure that expenditure is authorised in accordance with the Department’s guidelines. The Office is in compliance with tax law obligations.

The Office has a risk management system in place, including a risk register, and reports key risks and management actions being taken to address and, to the extent possible, to mitigate these risks.

The Office ensures that there is an appropriate focus on good practice in purchasing and that procedures are in place to ensure compliance with all relevant guidelines and procurement policy. Procurement undertaken by the Office is carried out in consultation with the Department’s Procurement Unit.

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