



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

# Office of the State Pathologist

## Annual Report 2018



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## Foreword

### by Acting State Pathologist, Dr Michael Curtis

I am pleased to present the 2018 Annual Report for the Office of the State Pathologist.

The Office of the State Pathologist is currently in a state of flux. The State Pathologist, Professor Marie Cassidy, retired at the end of 2018 and my retirement as the current Acting State Pathologist is imminent. Successors to these two posts have yet to be recruited. In the interim, support for the provision of the national forensic pathology service by Deputy State Pathologist, Dr Linda Mulligan and the Acting Deputy State Pathologist, Dr Kathleen Han Suyin, will be provided by a succession of locum pathologists.

Professor Marie Cassidy is a superb forensic pathologist who provided twenty years of dedicated service to the State. She has set a high bar of achievement for her successor to match.

With the support of the Department of Justice & Equality and the Faculty of Pathology of the Royal College of Physicians of Ireland, the Office of the State Pathologist continues the pursuit of speciality recognition of forensic pathology with the Medical Council of Ireland. This will be a critical factor for the advancement of the forensic pathology service in Ireland.

As I head towards retirement, I offer my best wishes for the future of the Office of the State Pathologist!.

*Dr Michael Curtis*

Acting 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 at post mortem examination.

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 “non-forensic” cases.

The Office of the State Pathologist was headed by the State Pathologist, Professor Marie Cassidy until her retirement in the third quarter of 2018. Dr Michael Curtis then became the Acting State Pathologist and he is assisted by Deputy State Pathologist, Dr Linda Mulligan, a part-time Locum Assistant State Pathologist, Dr Margot Bolster, and an Acting Deputy State Pathologist, Dr Kathleen Han Suyin, who joined the Office in September 2018. 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 15 – 20% of cases, this also involves a scene visit. 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 - these 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 Neuropathology; Paediatric pathology; Forensic anthropology; Post mortem toxicology; Forensic archaeology; 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, the 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 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 provide lectures for Trinity College Dublin, University College Dublin, National University of Ireland Galway and National University of Ireland Cork. 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. Following a very successful joint refurbishment project, the Office relocated to this site in July 2016. The site was formerly the Whitehall Garda Station. 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 2018

### Overall Caseload

#### Total Cases:

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 Health Service Executive guidelines and in line with General Data Protection Regulations.

During 2018, 286 cases were dealt with by the Office. This represents a small increase in cases dealt with when compared with the 2017 figure of 261 and the 2016 figure of 255). The majority of these were state forensic cases (196) comprising 68.5% of the total caseload.

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

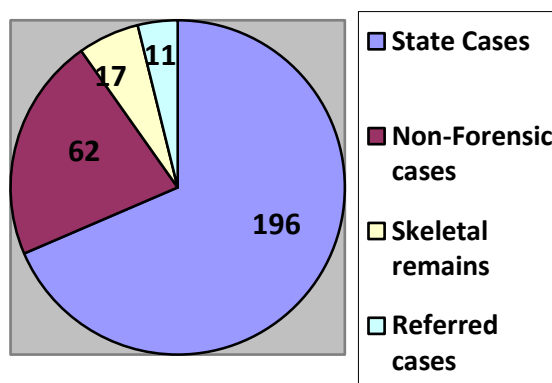


Figure 1:  
Total Cases January - December 2018

State cases may also involve a visit to the scene of death as well as the post mortem examination. Attendance at the scene of death was recorded in 29 of 196 cases (15%).

#### Dublin City Coroner Non-forensic Cases:

62 adult non-forensic post mortem examinations were carried out by the Office under the jurisdiction of the Dublin District Coroner (Dr Myra Cullinane).

#### Skeletonised Specimens:

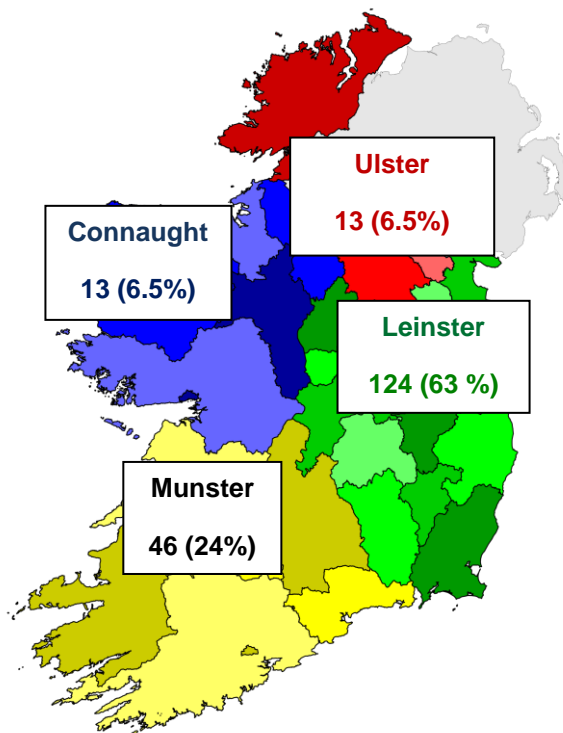
There were 17 cases of skeletonised remains, 11 of which were documented as animal bones and 6 were identified as human bones. 5 of the cases identified as human remains were found to be ancient and 1 was a modern, forensically relevant specimen.

#### Referred Cases:

11 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. This includes liaising with the referring Gardaí, solicitors or coroners, reviewing all relevant records and compiling a report. These cases may 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 2018.



**Figure 2:**  
**Distribution of State Cases in Ireland 2018**

78 of these State cases were Dublin City Coroner cases and a further 36 cases were carried out within a 80km radius of the capital (Drogheda, Tullamore, Naas, Navan and Portlaoise). These 114 cases amount to 58% of all the State cases in 2018.

### 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 Síochána and to all Coroners on a continual basis.

On 29 days in 2018, one or more post mortem examinations were carried out. In total 61 of the 196 State cases (31%) 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 post mortem examinations in the same mortuary or to travel between mortuaries to conduct the post mortems.

## Financial Information

The Office of the State Pathologist is funded from Subhead B.19 of the Justice Vote. In 2018, the Office received a total budget allocation of €969,000 and its total expenditure was €1,197,472. The expenditure is broken down between pay and non-pay costs in Figure 4 below. The additional spend arose due to the provision of essential locum pathologist and scientist services and the recruitment of an Acting Deputy Pathologist during the year.

	2018 Budget Allocation	2018 Actual Outturn
Pay	€760,000	€837,758
Non-Pay	€209,000	€359,714
<b>Total</b>	<b>€969,000</b>	<b>€1,197,472</b>

Figure 3: Breakdown of Expenditure in 2018

## 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 2018.

## Public Sector Equality and Human Rights Duty

The Office of the State Pathologist has regard to Section 42 of the Irish Human

Rights and Equality Commission Act 2014. The Office is cognisant of human rights and equality issues, medical ethics and the dignity of the deceased. Policies and practices are in place in respect of organ retention and the dignified disposal of retained organs.

## Energy Awareness

The Office continued to promote awareness of environmental and energy issues in 2018. The Office's Energy Manager participates in the Department of Justice's Energy Performance Officers Forum to assist in fulfilling its statutory obligations and in reporting energy usage.

## 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](http://www.justice.ie). The State Pathologist provides a Compliance Statement in respect of the work of 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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