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Forensic pathologist, toxicologist testify during inquest into First Nations student deaths [STUDENT INQUEST](#)



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By Matt Vis, tbnewswatch.com

THUNDER BAY – Alcohol was a factor in five of the seven deaths of students attending school in the city from remote First Nations, a forensic pathologist and toxicologist told the coroner’s inquest probing the deaths.

The first two of what are expected to be about 200 witnesses to testify during the six-month inquest took the stand Tuesday morning at the Thunder Bay Courthouse, with forensic pathologist Dr. Toby Rose and toxicologist Dr. Karen Woodall answering questions about the causes of death for each of the seven students, who had left home to attend school in Thunder Bay.

The causes of death for 15-year-old Jethro Anderson, 18-year-old Curran Strang, 15-year-old Reggie Bushie and 17-year-old Kyle Morriseau were all classified as drowning with alcohol intoxication listed as a contributing factor.

The cause of death for 18-year-old Robyn Harper was classified as acute alcohol toxicity.

The inquest also heard the cause of death for 15-year-old Jordan Wabasse was drowning and there was no apparent anatomical or toxicological cause of death for 21-year-old Paul Panacheese. Though both had alcohol in their systems, Rose and Woodall said it was not enough to list it as a contributing factor.

Coroner’s counsel Karen Shea spent all morning and a portion of the afternoon proceedings asking about the steps involved in identifying the cause of death for all seven.

On multiple occasions, Rose was asked how she came to the conclusion the five students found in the water had drowned.

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She explained how forensic pathology often relies on making inferences based on evidence or lack of evidence.

"They were all found in water with good evidence of drowning so drowning is cause of death," she said in a cross-examination question, adding frothy fluid found in airways and hyperventilated lungs are two signs of drowning, which were present in all of the cases.

The inclusion of alcohol as a contributing factor was the subject of numerous questions from the parties with standing during cross-examination.

Chantelle Bryson, counsel for the Provincial Advocate for Child and Youth, grilled Rose and Woodall on how they could be absolutely certain alcohol played a factor in the deaths.

She repeatedly asked the two expert witnesses to prove alcohol was a direct factor.

"As a toxicologist, I can say it's a significant amount of alcohol and it could be a factor in how they ended up in the water," Woodall said as a response to question about how to quantify the blood alcohol content each student had at the time of their death.

Rose was adamant, in her opinion, the level of intoxication either played a role in how the students entered the water or why they couldn't get out.

Etienne Esquega, counsel for Nishnawbe Education Council, questioned whether hypothermia was considered as a contributing factor and why it wasn't listed when alcohol had been. He pointed to the time of the year, fall and winter, when they were outside drinking and found in the water.

Rose replied while it was possible, there was no evidence to support it while the toxicological test results showed there was enough alcohol present to lead to an inference of intoxication.

Julian Falconer, counsel for Nishnawbe Aski Nation, pointedly asked how she could be certain they had entered the water on their own and weren't pushed or rolled. While he acknowledged he had no direct evidence to back up the question, he noted many of the students had superficial scrapes or bruises.

Rose responded while there was no evidence to prove any of that didn't happen, she had nothing to indicate any of those theories or suggestions were true.

In the case of Harper, who died only two days after starting school at Dennis Franklin Cromarty High School after arriving from Keewaywin First Nation, the inquest heard her blood alcohol was in the fatal range.

She was returned to her boarding home at 1 a.m. on the morning Nov. 13, 2007 after drinking. She was seen alive around 4 a.m. or 5 a.m. but was found dead when checked on at 9 a.m.

Despite having vomit on her face and in her hair, Rose said there was no evidence of aspiration and that alcohol toxicity would be the underlying cause of death.

The cause of death for Panacheese, who was found collapsed in his home in the early morning hours of Nov. 11, 2006, is unknown. Rose said she believes a heart condition may have been a factor but there is no way to definitely prove it.

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