

Forensic Science Regulator

Guidance

The Use of ‘Excited Delirium’ as a Cause of Death

FSR-G-231

Issue 2

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1. Purpose

- 1.1.1 The Forensic Science Regulator (the Regulator) became aware of concerns, raised outside this jurisdiction, about the use, and potential misuse, of ‘excited delirium’ as a cause of death. Advice was therefore sought from the Forensic Pathology Specialist Group (FPSG) and the Forensic Pathology Speciality Advisory Committee (SAC) of the Royal College of Pathologists.
- 1.1.2 It is clear that the term ‘excited delirium’ has relatively rarely been used as a sole cause of death in this jurisdiction but it appears that it has occurred.
- 1.1.3 This document sets out the guidance from the FPSG and SAC on the use of the term.
- 1.1.4 After the consideration of this issue was underway it became clear that the Independent Review of Deaths and Serious Incidents in Police Custody chaired by Rt. Hon Dame Elish Angiolini DBE QC might address concerns about this issue. The report published by the Review [1] did address this issue and made the following recommendation.

“‘Excited Delirium’ should never be used as a term that, by itself, can be identified as the cause of death. The use of Excited Delirium as a term in guidance to police officers should also be avoided.”

2. Scope

- 2.1.1 This guidance has been issued to support the Code of Practice and Performance Standards for Forensic Pathology [2] and applies to forensic pathologists in England Wales and Northern Ireland.

3. Implementation

- 3.1.1 Issue 2.0 of this document became effective on 31 October 2020.

4. Modification

- 4.1.1 This is the second issue of this document. Changes to the previous version are not marked.

- 4.1.2 The document has been drafted to ensure compliance with The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018.
- 4.1.3 The Regulator uses an identification system for all documents. In the normal sequence of documents this identifier is of the form 'FSR-#-####' where (a) the '#' indicates a letter to describe the type or document and (b) '####' indicates a numerical, or alphanumeric, code to identify the document. For example, the Codes are FSR-C-100. Combined with the issue number this ensures each document is uniquely identified.
- 4.1.4 In some cases, it may be necessary to publish a modified version of a document (e.g. a version in a different language). In such cases the modified version will have an additional letter at the end of the unique identifier. The identifier thus becoming FSR-#-####.
- 4.1.5 In all cases the normal document, bearing the identifier FSR-#-####, is to be taken as the definitive version of the document. In the event of any discrepancy between the normal version and a modified version the text of the normal version shall prevail.

5. Guidance

- 5.1.1 The use of the term 'Excited Delirium' as a sole cause of death should not be used.
- 5.1.2 The term has caused controversy, particularly in North America, where it has been applied in some cases where other important pathological mechanisms, such as positional asphyxia and trauma may have been more appropriate descriptions. It is recognised that the physiological condition characterised by physical agitation and altered mental state commonly brings individuals into contact with police and other emergency personnel, and is an acutely life threatening one. This condition which is usually drug induced needs to be recognised and treated.
- 5.1.3 Formulating the cause of death in these circumstances can be difficult. The Regulator and the Royal College of Pathologists advise pathologists to consider an approach where the central cause of the fatal clinical condition is offered as

an immediate cause of death and, where appropriate, used in conjunction with a term capturing the altered physiological and psychological state. Examples could include “amphetamine intoxication with acute behavioural disturbance” or “cocaine cardio-toxicity and psychosis”.

- 5.1.4 Discussion of Excited Delirium may better be covered within the commentary section of the post mortem report.

6. Acknowledgement

- 6.1.1 The College and the Regulator would like to acknowledge the assistance of the following in the production of this guidance.
- a. The Specialty Advisory Committee on Forensic Pathology of the Royal College of Pathologists.
 - b. The Forensic Pathology Specialist Group, and
 - c. The British Association in Forensic Medicine.

7. Review

- 7.1.1 This document is subject to review at regular intervals.
- 7.1.2 If you have any comments please send them to the address or e-mail set out on the Internet at URL: www.gov.uk/government/organisations/forensic-science-regulator

8. References

- 1 Report of the Independent Review of Deaths and Serious Incidents in Police Custody; Rt. Hon Dame Elish Angiolini DBE QC.
- 2 Code of Practice and Performance Standards for Forensic Pathology; Forensic Science Regulator, College of Pathologists, Home Office and Department of Justice Northern Ireland.

9. Abbreviations And Acronyms

| Text | Meaning |
|-------------|-------------------------------------|
| DBE | Dame of the British Empire |
| FPSG | Forensic Pathology Specialist Group |
| QC | Queen’s Counsel |
| SAC | Speciality Advisory Committee |
| URL | Uniform Resource Locator |

Published by:

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www.gov.uk/government/organisations/forensic-science-regulator