



MAGISTRATES COURT *of* TASMANIA

CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

Coroners Act 1995
Coroners Rules 2006
Rule 11

I, Madeleine Wilson, Coroner, having investigated the deaths of Janice Kaye Tonks and Maxwell Edward Tonks

Find, pursuant to Section 28(1) of the *Coroners Act 1995*, that

- a) The identities of the two deceased persons are Maxwell Edward Tonks, date of birth 8 October 1940 and Janice Kaye Tonks, date of birth 11 March 1943.
- b) Mr Tonks, 83, and Mrs Tonks, 81, died in a motor vehicle crash in which Mr Tonks was a front seat passenger and Mrs Tonks was a rear seat passenger in their daughter's vehicle which was driven into by Antonios Van Eldik who was driving a Hino pump truck.
- c) Mr Tonks' cause of death was blunt chest trauma and multiple rib fractures.

Mrs Tonks died as a result of multiple (head, neck, chest, pelvic and limb) injuries.
- d) Mr and Mrs Tonks died on 27 September 2024 at Risdon, Tasmania.

In making the above findings, I have had regard to the evidence gained in the investigation into Mr and Mrs Tonks' death. The evidence includes:

- The Police Report of Death for the Coroner;
- Affidavits confirming identity;
- Medical records;
- Tasmania Police records;
- Affidavit of Sindy Tonks;

- Affidavit of Alan Donoghue;
- Affidavit of Jakob Hogan;
- Affidavit of Tamika Roberts
- Affidavit of Leah Tenaglia;
- Affidavit of Gabriel Dacacio;
- Affidavit of Constable Kelly Cordwell;
- Affidavit of Constable Adam Hall;
- Affidavit of Constable Dean Walker;
- Affidavit of Paul Buckley;
- Affidavit of Benjamin Holmes;
- Tasmania Police interview with Antonios Van Eldik;
- Magistrates Court of Tasmania records;
- Reports of forensic scientist Neil McLachlan-Troup; and
- Reports of forensic pathologist Dr Andrew Reid regarding cause of death.

Mr and Mrs Tonks

Mr and Mrs Tonks had both lived in Tasmania all their lives. They had been together for 65 years and married for 63 years. Mr Tonks had worked as a firefighter for 35 years before retiring approximately 17 years earlier. Mr and Mrs Tonks had three children, Michael, Sindy and Gavin.

Approximately five months before the collision, Mr Tonks had been diagnosed with a heart condition and given a prognosis of approximately one month to live. However, on the day of the collision, he had consulted his general practitioner and was informed that his condition was not terminal and that he could expect to live for many more years.

Circumstances surrounding their deaths

On 27 September 2024, Ms Sindy Tonks spent the afternoon with her parents, Mr and Mrs Tonks, taking them to their appointments in Claremont and Glenorchy. At approximately 3.30pm, Ms Tonks was driving her parents to their home in Brighton. Mr Tonks was seated in the front passenger seat and Mrs Tonks was seated in the back passenger seat of Ms Tonks's silver Barina.

As they were crossing the Bowen Bridge, a Hino pump truck being driven by Antonios Van Eldik was following the Barina. Witnesses stated the driver of the Hino was travelling at the speed limit of 80 km/h. As he was driving, Mr Van Eldik lit a cigarette and dropped it on to the seat. Mr Van Eldik looked down temporarily to locate the cigarette, before it burned the seat. When he looked up he noticed the traffic in front had slowed significantly and was almost completely stationary. Mr Van Eldik's vehicle then collided heavily with the Barina. The force of the collision caused the Barina to collide with the car in front (a Holden Acclaim), which in turn collided with the rear of the next car in front, a Honda, injuring the occupants of all three vehicles.

Civilians rendered assistance and emergency services were telephoned. Ambulance Tasmania attended the scene and tended to Mr and Mrs Tonks who were declared deceased at the scene.

A police investigation was conducted into the collision. Ambulance records described the complete impaction of the rear cabin up to the front seats, with the backseats of the vehicle displaced and found positioned to the left of the driver's seat.

An inspection of the Hino identified some faults however it was determined that none of the faults contributed to the collision.

At the time of the collision the road and weather conditions were fine and dry. The position of the sun, to the northwest of the bridge, was not a factor in the collision.

A sample of Mr Van Eldik's blood was taken. Toxicology testing confirmed the presence of methylamphetamine in his system. Mr Van Eldik denied taking drugs when interviewed by police, however his lawyer subsequently submitted to the Magistrates Court that he had consumed methylamphetamine two days earlier. I note that Mr Van Eldik was not charged with driving under the influence of a drug and I am unable to find that his consumption of methylamphetamine contributed to the crash.

Dr Andrew Reid, State Forensic Pathologist, found Mr Tonks died of blunt chest trauma and multiple rib fractures sustained in the collision, noting that chronic ischaemic heart

disease contributed to post traumatic cardiac arrest at the scene of the collision. In Dr Reid's opinion, the injuries sustained in the crash were sufficient to have caused death.

Dr Reid found Mrs Tonks died of multiple head, neck, chest, pelvic and limb injuries, sustained in the collision. He stated that blunt force trauma was caused by rear impact to the car and force was transmitted, by deformation and intrusion of car parts, predominately to the left side of the body. He noted that most of Mrs Tonks's injuries were internal.

Mr Van Eldik pleaded guilty to two counts of causing death by negligent driving in that he failed to keep a proper lookout, failed to observe the vehicles in front of him slowing down, failed to reduce his speed to the changing traffic conditions and failed to drive without reasonable caution and care for other road users. Mr Van Eldik was sentenced in the Hobart Magistrates Court to five months imprisonment, wholly suspended on condition that he not commit another offence punishable by imprisonment, for a period two years. He was sentenced to a Community Correction Order for twelve months and disqualified from driving for two years.

Comments and recommendations

The deaths of Mr and Mrs Tonks was a tragic event which highlights the need for drivers to pay due care and attention to their surroundings while driving.

The circumstances of death are not such as to require me to make any comments or recommendations pursuant to Section 28 of the *Coroners Act 1995*.

I extend my appreciation to Senior Constable Kelly Cordwell for her investigation and report.

I convey my sincere condolences to the family and loved ones of Mr and Mrs Tonks.

Dated: 18 September 2026 at Hobart, in the State of Tasmania.

Madeleine Wilson
Coroner