



# MAGISTRATES COURT *of* TASMANIA

## CORONIAL DIVISION

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### **Record of Investigation into Death (Without Inquest)**

*Coroners Act 1995  
Coroners Rules 2006  
Rule 11*

I, Olivia McTaggart, Coroner, having investigated the death of Andrew Philip Sykes

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

- a) The identity of the deceased is Andrew Philip Sykes;
- b) Mr Sykes was born on 6 March 1988 and was aged 33 years at his death. He lived on Flinders Island with his wife, young daughter and two stepchildren. He worked as a farm hand.

At about 6.00pm on 10 May 2021 Mr Sykes was driving his work utility vehicle home from work on Wingaroo Road at Memana. The road has a gravel surface and the evening was dark. Mr Sykes lost control of his vehicle as he came to a 35 degree right-hand bend with the wheels entering the soft verge on the left side of the road. This caused the vehicle to slide sideways before leaving the road on the same side, flattening a guidepost, rolling several times and coming to rest on its roof on the grassy slope of the roadside embankment. Mr Sykes, who was not wearing his seatbelt, was thrown through the driver's side window during the rollover and came to rest 17 metres further on from the final resting place of the vehicle. He was discovered alive shortly after the crash and was taken by helicopter to the Royal Hobart Hospital. He was assessed as suffering brain injuries and underwent neurosurgical intervention. Unfortunately, he did not recover and his condition deteriorated into a vegetative state. Active treatment was ultimately withdrawn, he was transferred to the Launceston General Hospital for palliative care and he died on 28 June 2021.

I am satisfied from the thorough coronial investigation that no other vehicle or person was involved in Mr Sykes' crash. I am also satisfied that anomalies in road and weather conditions did not contribute to the happening of the crash. The vehicle driven by Mr Sykes did not have defects that caused or contributed to the

crash. Mr Sykes did not have drugs or alcohol in his system at the time. He did not crash the vehicle intentionally. The evidence indicates that inattention on the part of Mr Sykes caused the crash. He had been using his hand-held mobile phone in the vehicle and it is possible that he was distracted by using the phone when he lost control of the vehicle.

- c) Mr Sykes' cause of death was traumatic brain injury; and
- d) Mr Sykes died on 28 June 2021 at the Launceston General Hospital, Launceston, Tasmania.

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

- Police and hospital reports of death,;
- Life extinct and identification affidavits;
- Opinion of the forensic pathologist regarding cause of death;
- Toxicology report from Forensic Science Service Tasmania;
- Hospital, general practitioner and ambulance records for Mr Sykes;
- Affidavit of Sarah Apps, wife of Mr Sykes;
- Affidavit of Gary Sykes, father of Mr Sykes
- Affidavits of Dylan Purdon and Matt Wilson, work colleagues of Mr Sykes
- Affidavit of Darren Grace, employer of Mr Sykes
- Affidavit of David Bailey, mechanic who serviced the vehicle;
- Affidavit of Casey Perkins, Transport Officer, regarding condition of the vehicle;
- Mobile phone analysis, photographic evidence and police body worn camera footage of the scene;
- Affidavits of Senior Sergeant Justin Bidgood and Constable Ryan Jeffery, attending and investigating officers.

### **Comments and Recommendations**

It is likely that the death of Mr Sykes could have been prevented if he had taken the simple safety precaution of wearing his seatbelt. If he had, I doubt that he would have been thrown from the vehicle and suffered his fatal injuries. I hope that his tragic death reminds others that wearing a seatbelt may save their lives.

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

I thank Constable Jeffery for his investigation.

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

**Dated:** 8 April 2022 at Hobart Coroners Court in the State of Tasmania.

**Olivia McTaggart**  
Coroner