



MAGISTRATES COURT *of* TASMANIA

CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Simon Cooper, Coroner, having investigated the death of James Charles Smith

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

- a) The identity of the deceased is James Charles Smith;
- b) Mr Smith died as a result of injuries sustained by him as driver in a single motor vehicle crash which occurred on 3 March 2023, Bridport Road, 1.47 kilometres east of that road's intersection with Bellingham Road;
- c) The cause of Mr Smith's death was blunt trauma of chest; and
- d) Mr Smith died, aged 75 years, on 13 March 2023 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 Smith's death. The evidence includes:

- Police Report of Death for the Coroner;
- Affidavits establishing identity;
- Report – Dr Donald Ritchey, Forensic Pathologist;
- Report – Forensic Science Service Tasmania;
- Records – Ambulance Tasmania – Clinical Services;
- Medical Records – GP;
- Medical Records – Tasmanian Health Service – Launceston General Hospital;
- Affidavit – Mr Freddie Todman, Transport Safety and Investigation Officer, sworn 27 April 2023;
- Affidavit – Ms Mikayla Binns, sworn 14 June 2023;
- Affidavit – Mr Brian Millwood, sworn 21 March 2023;
- Affidavit – Senior Constable Rodney Walker, sworn 26 April 2023 (and scene photographs);
- Affidavit – Sergeant Scott McKinnell, sworn 23 March 2023 (and drone footage);

- Affidavit – Constable Dominic Watson, sworn 5 April 2023 (and body worn camera footage);
- Affidavit – Senior Constable Michal Rybka, sworn 25 June 2023; and
- Affidavit – First Class Constable Naomi Davey, sworn 22 June 2023 (and sketch map).

Circumstances of death

At the time of the happening of the crash, Mr Smith lived at 1501 Bridport Road. He owned and drove regularly a 1990 Toyota Cressida. He had an appointment that day at the Launceston General Hospital in relation to an operation he required on his knees.

Accident reconstruction evidence indicates that Mr Smith was driving west on Bridport Road when his vehicle left the road and collided with a stand of trees. A witness, Ms Binns, happened upon the crash at about 6:20am. She called 000, with the assistance of another passer-by extracted Mr Smith from the car, commenced, and continued CPR until the arrival of an ambulance.

Mr Smith was rushed to the Launceston General Hospital. However, his injuries were too severe to survive and he died 10 days later.

Investigation

After formal identification Mr Smith's body was taken by mortuary ambulance to the Royal Hobart Hospital where an autopsy was performed by experienced forensic pathologist Dr Donald Ritchey. Dr Ritchey found extensive chest injuries were the cause of Mr Smith's death. He also noted, significantly in my view, that Mr Smith suffered from atherosclerotic and hypertensive cardiovascular disease as well as emphysema and morbid obesity (BMI 45).

No evidence was detected at the scene or as a result of subsequent examination of Mr Smith's vehicle to indicate that there had been any braking input by him in the immediate lead up to the crash.

The weather conditions at the time when the crash occurred were fine and the road surface was both dry and in a good condition. There is no evidence of any obstacles, road defects dead wildlife or similar on the roadway in the lead up to the scene which may have provided an explanation for Mr Smith's Toyota leaving the road.

Mr Smith was wearing a seatbelt at the time of the crash. The vehicle he was driving was not fitted with an SRS airbag system.

A Transport Inspector who inspected Mr Smith's vehicle after the crash found that the steering wheel fitted to the vehicle was non-compliant with the relevant legislative framework.

However, I am satisfied that the non-compliant steering wheel neither caused nor contributed to the happening of the crash.

Toxicological analysis of samples taken upon Mr Smith's admission to the Launceston General Hospital did not reveal the presence of any alcohol or illicit drugs in his body at the time of the happening of the crash.

Conclusion

There is no evidence that alcohol or drugs, excessive speed, mechanical deficiency, road or weather conditions contributed to the happening of the crash. There is also no evidence that any other person was involved in the crash.

There are no suspicious circumstances associated with Mr Smith's death.

The most likely explanation is that the crash which caused the injuries which claimed Mr Smith's life was a result of him suffering a medical event, likely cardiac in nature.

Comments and Recommendations

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

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

Dated: 24 January 2024 at Hobart, in the State of Tasmania.

Simon Cooper
Coroner