



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 Kenneth Arthur Campbell

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

- a) The identity of the deceased is Kenneth Arthur Campbell;
- b) Mr Campbell died in the circumstances set out further in this finding;
- c) The cause of Mr Campbell's death was ischaemic heart disease complicated by atrial fibrillation, mitral valve regurgitation and congestive cardiac failure;
and
- d) Mr Campbell died on 22 June 2017 on Evandale Road at Western Junction, Tasmania.

In making the above findings I have had regard to the evidence gained in the comprehensive investigation into Mr Campbell's death. The evidence comprises an opinion of the pathologist who conducted the autopsy; the results of a toxicological analysis of samples taken at autopsy; relevant police and witness affidavits; medical records and reports; and forensic and photographic evidence.

Mr Campbell, aged 83 at the time of his death, was the holder of a Tasmanian medium rigid driver license. He had no prior convictions recorded in relation to his driving (or indeed anything). After an active business and professional life in both Launceston and Sydney Mr Campbell moved back to Tasmania to retire in about 2012. He lived at the Launceston Garden Villages retirement village in Newstead until the time of his death. Relatively speaking, he was in reasonable health for his age. He was a regular patient of Dr Keith Barnes, general practitioner. Both a non-smoker and someone who never drank alcohol, Mr Campbell was being treated however for a variety of conditions including, relevantly, cardiac issues.

On 22 June 2017 Mr Campbell drove his friend, Christian Faulkner, in Mr Campbell's well-maintained silver 2002 Jaguar sedan, to Evandale to a cafe for lunch. The pair finished lunch at about 2.20pm and walked back to Mr Campbell's Jaguar. As they did so Mr Faulkner noticed that Mr Campbell was (unusually for him) out of breath and appeared to be gasping for air.

Mr Campbell then commenced to drive the pair back to Launceston via Evandale Road. Shortly after they started the journey Mr Faulkner noticed all was not well with Mr Campbell. Mr Campbell had not put his seatbelt on and did not respond when Mr Faulkner told him to do so. Mr Faulkner noticed Mr Campbell was neither talking nor responding to anything said to him. As they travelled north on Evandale Road, Mr Faulkner noticed Mr Campbell's skin had become bluish/purple in colour and his hands had dropped off the steering wheel. Mr Faulkner saw Mr Campbell stretch his legs and arch his back pressing the vehicle's accelerator down as he did so. Mr Faulkner attempted to remove Mr Campbell's leg from the accelerator but was unable to do so. He yelled at Mr Campbell but received no response. Mr Campbell collapsed to his left towards the centre of the vehicle. Mr Faulkner attempted to steer the Jaguar as it rapidly approached the rear of a Mazda utility driven by Mr Damien Wilson on the same road in the same direction. Mr Faulkner was unable to slow or steer the Jaguar and it struck the rear of Mr Wilson's vehicle. Both vehicles came to a halt. Police and emergency services were quickly on the scene but nothing could be done for Mr Campbell.

After formal identification, Mr Campbell's body was transported to the mortuary at the Launceston General Hospital where an autopsy was carried out. The pathologist who conducted that autopsy expressed the opinion that the cause of Mr Campbell's death was ischaemic heart disease complicated by atrial fibrillation, mitral valve regurgitation and congestive cardiac failure. It was noted that Mr Campbell suffered from severe coronary artery atherosclerosis. I accept the pathologist's opinion as to the cause of Mr Campbell's death. It is consistent with the observations of Mr Faulkner of Mr Campbell in the immediate lead up to the crash. I note the results of the toxicological analysis of samples taken at autopsy were unremarkable and positively exclude the role of alcohol or drugs in the happening of the crash. Indeed the forensic pathology evidence makes it

very clear that Mr Campbell's death was due to a heart attack which caused the crash and that the crash did not cause his death.

Even though Mr Campbell's death was due to a heart attack and not the crash itself, because that fact was not known until after autopsy was performed and the toxicological analysis reviewed, normal post fatal motor vehicle crash investigations were conducted in relation to both vehicles and also the other driver involved. Although it is not strictly necessary to express a concluded view given my finding as to the cause of Mr Campbell's death, I do observe that neither alcohol nor drugs, speed nor any mechanical deficiency of either vehicle or anything to do with the road or weather conditions in any way caused or contributed to the happening of the crash.

Comments and Recommendations

The circumstances of Mr Kenneth Arthur Campbell'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 Kenneth Arthur Campbell.

Dated 8 June 2018 at Hobart in Tasmania.

Simon Cooper
Coroner