



# 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, Simon Cooper, Coroner, having investigated the death of Rick Keith Gesler

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

- a) The identity of the deceased is Rick Keith Gesler.
- b) Mr Gesler died as a result of injuries sustained by him as rider in a single motorcycle crash. At the time of the happening of the crash Mr Gesler was intoxicated (0.18 g per 100 mL of blood);
- c) The cause of Mr Gesler's death was multiple injuries;
- d) Mr Gesler died on 16 September 2022 at Rocherlea, Tasmania.

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

- Police Report of Death for the Coroner;
- Affidavits Establishing Identity;
- Report – Dr Christopher Lawrence, Forensic Pathologist;
- Report – Forensic Science Service Tasmania;
- Medical Records – Tremaur Medical Centre;
- Medical Records – Tasmania Health Service – Launceston General Hospital;
- Affidavit – Renea Gesler, sworn 5 October 2022;
- Affidavit – Gennaro De Santis, sworn 18 April 2023;
- Affidavit – Kaylene Woodcock, sworn 8 November 2022;
- Affidavit – Senior Constable Petria Button, Sworn 10 April 2023;
- Affidavit – Constable Matthew O'Neill, sworn 7 June 2023;
- Affidavit – Senior Constable Tracy Lincoln, sworn 14 December 2022 (And scene photographs);
- Affidavit – Senior Constable Peter McCarron, sworn 25 September 2022;
- Scene Plan;

- Affidavit – Freddie Todman, Transport Safety and Investigation Officer, sworn 28 October 2022; and
- CCTV and drone survey footage.

Mr Gesler died, aged 26 years, when the un-roadworthy motorcycle he was riding, failed to negotiate a sweeping left hand bend on the East Tamar Highway at Rocherlea, left the road, fell over, slid along a concrete area in the highway medium strip before striking steel Brifen cables and posts. Mr Gesler also hit the Brifen cables and posts after he separated from his motor cycle.

He suffered massive injuries including comminuted compound head injuries, a laceration of his heart, thoracic spinal fractures, a compound fracture of his left femur and abdominal bleeding. He died at the scene.

Subsequent toxicological analysis of samples taken at autopsy showed he had a blood alcohol level of at least 0.180 g per 100 mL of blood. I note the evidence from Mr Neil MacLachlan – Troup, the Forensic Scientist who performed the toxicological analysis of the samples taken at autopsy from Mr Gesler's body, that the risk of a driver with such a blood alcohol concentration of being involved in the crash is approximately 50 times that of a driver with no alcohol in their blood.

A subsequent inspection of his motor cycle by a Transport Inspection Safety Officer showed the brakes were deficient.

I am satisfied there was nothing about the weather conditions road surface which caused or contributed to the happening of the crash.

There is no evidence of the involvement of any other person in Mr Gesler's death.

### **Comments and Recommendations**

The circumstances of Mr Gesler'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 Gesler.

**Dated:** 30 October 2023 at Hobart, in the State of Tasmania.

**Simon Cooper**  
Coroner