



MAGISTRATES COURT of TASMANIA

CORONIAL DIVISION



Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Olivia McTaggart, Coroner, having investigated the death of Luke Andrew Bradshaw

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

- (a) The identity of the deceased is Luke Andrew Bradshaw;
- (b) Mr Bradshaw died between 26 June 2014 and 27 June 2014 in the Derwent River, Prince of Wales Bay, Tasmania;
- (c) Mr Bradshaw died as a result of drowning; and
- (d) Mr Bradshaw was born in Hobart, Tasmania on 24 March 1975 and was aged 39 years at the time of his death; Mr Bradshaw was in a de facto relationship and his occupation at the date of death was truck driver/labourer.

Background:

Mr Bradshaw was born in Tasmania on 24 March 1975. His parents are Beverley Anne Bradshaw and Denis Reginald Bradshaw. He has two siblings - Ben Reginald Neal and Selina Maree Bradshaw. His father passed away in February 2012.

Mr Bradshaw had been in a relationship with his de facto partner, Tracey Golding, for 17 years. They had three children together, Joel Lawrence Reginald Bradshaw, born 25 July 2001; Max Samuel Bradshaw born 13 February 2003; and Jake Andrew Bradshaw born 2 May 2007. The family resided at 9 Humphrey Street, Glenorchy.

Circumstances surrounding the death:

At approximately 6pm on Thursday 26 June 2014, Mr Bradshaw walked from his home at 9 Humphrey Street, Glenorchy, to the Giblins Reserve boat ramp where he met with his long term friend, Steven James Murray. The pair boarded Mr Murray's vessel, "Eventide". At the time, the vessel was moored to the northwest side of the Giblins Reserve boat ramp jetty where Mr Murray intended to remain for the night. Prince of Wales Bay is a significant area for marine and boating activity, supporting a large number of recreational and commercial

moorings. It has four distinct bays within the area, all of which are sheltered from winds, currents and swell.

The boat ramp is for public use with a jetty of floating construction situated in Prince of Wales Bay accessed from Gepp Parade, Goodwood, through Giblins Reserve, with a car park for vehicles with boat trailers.

The vessel "Eventide" is 7 metres long, 3 metres wide with a 1.7 metre draft incorporating a fully enclosed cabin and sleeping area. The deck surface area is minimal with limited room on the outer edge. Arranged around the outer edge of the deck is a 600mm high wire safety railing made of wire and stanchions.

On board the "Eventide", in the lounge area, Mr Murray and Mr Bradshaw consumed Jim Beam and beer until approximately 10.00pm when Mr Murray fell asleep.

At approximately 5.00am on Friday 27 June 2014, Mr Murray woke and found that Mr Bradshaw was no longer on board. The vessel was adrift a few metres northwest of the jetty. Mr Bradshaw's mobile phone was laying on the jetty and his Sydney Swans jacket lay on the ground near the jetty. Mr Murray believed that Mr Bradshaw had walked home. He therefore collected the items and relocated "Eventide" to her mooring.

At 7.08am Ms Golding called Mr Bradshaw's mobile phone and Mr Murray answered. They established Mr Bradshaw was missing. A search was conducted by Ms Golding and Mr Murray which included making contact with and visiting family and friends in the nearby area.

Between 7.30am and 8.00am Timothy Paul Baker, a friend of Mr Bradshaw, assisted Mr Murray with the search of the general area before both attended 9 Humphrey Street, Glenorchy, to meet up with Ms Golding. At 8.27am Mr Baker contacted police and reported Mr Bradshaw as a missing person.

A police search of the Prince of Wales Bay area was conducted. At 11.30am Mr Bradshaw was located by Constable Christopher Williams. He was found floating face down in Prince of Wales Bay and barely visible in the water. He was approximately 100 metres northwest of the Giblins Reserve boat ramp. He was formally identified by Mr Baker.

An autopsy upon Mr Bradshaw was conducted by forensic pathologist, Dr Donald Ritchey. He concluded the cause of Mr Bradshaw's death was consistent with drowning, with a significant factor being ethanol intoxication. I accept Dr Ritchey's opinion as to cause of death. Toxicological testing of Mr Bradshaw's blood detected alcohol (ethanol) at 0.323 grams per 100 millilitres of blood.

An extensive investigation was conducted by police into the circumstances of Mr Bradshaw's death. This included the taking of affidavits from all relevant witnesses, and examination of the vessel "Eventide", the jetty, Giblins Reserve and the Prince of Wales Bay area generally.

I am satisfied that there are no suspicious circumstances surrounding the death of Mr Bradshaw and that no other person was involved. There is no evidence that Mr Bradshaw intended to take his life. I am satisfied that his death was accidental in nature.

I fully accept the account provided by Mr Murray regarding the events of the evening and before the finding of Mr Bradshaw by police.

I am satisfied that at a time between 10.00pm on 26 June 2014 and 5.00am, when Mr Murray was asleep, Mr Bradshaw attempted to alight from or return to the vessel onto the jetty. This is evidenced by the placement of his jacket and mobile telephone on the ground. I cannot determine the reason for the attempt to alight from or return to the boat. The most logical scenario is that Mr Bradshaw intended to leave the boat to walk home, and in that process, he came out of the cabin and threw his jacket and mobile phone onto the jetty. Being highly intoxicated, he fell into the water. He was not wearing any personal flotation device. The evidence indicates that Mr Bradshaw was a capable swimmer. However, at his level of intoxication, his judgment, coordination, balance, responsiveness and intellectual performance would have been severely impaired. Unfortunately, such impairment rendered him unable to save himself once in the water.

Comments and Recommendations:

The tragic death of Mr Bradshaw causes me to remind members of the public of the dangers of drinking to intoxication whilst using boats. Even while anchored or moored those dangers remain present.

I extend my appreciation to investigating officer, Constable Adrian Williams, for his investigation and report to me.

I make no recommendations pursuant to Section 28 of the *Coroners Act 1995*.

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

Dated: 21 March 2016 at Hobart in the state of Tasmania.

Olivia McTaggart
Coroner