



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 James Wells

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

- a) The identity of the deceased is Kenneth James Wells;
- b) Mr Wells died in circumstances set out below;
- c) The cause of Mr Wells' death was hypothermia; and
- d) Mr Wells died between 24 June and 8 July 2020 at 2/88 Hardwick Street, Summerhill, Tasmania.

Introduction

In making the above findings I have had regard to the evidence gained in the investigation into Mr Wells' death and the circumstances surrounding it. The evidence includes:

- Police Report of Death for the Coroner;
- An opinion of Dr T Brain, pathologist, who conducted the autopsy;
- Affidavits establishing identification and life extinct;
- Affidavit of Mr Michael Banfield, sworn 8 July 2020;
- Affidavit of Ms Winsome Gooding, sworn 8 July 2020;
- Affidavit of Constable Nathan Ford, sworn 24 November 2020;
- Affidavit of Sergeant Genevieve Hickman, Tasmania Police, sworn 23 March 2021;
- Medical records – Tasmanian Health Service;
- Tenancy records – Housing Tasmania; and
- Letters of Administration granted to Public Trustee, dated 14 September 2020.

Background

The evidence establishes that Kenneth James Wells was born to James and Vera Wells in Launceston on 19 August 1939. At the time of his death, he was aged 80 years and in receipt of an age pension. There is no evidence that he ever married or had children.

Mr Wells had lived for many years in a unit at Summerhill. Initially he lived in that unit at 2/88 Hardwick Street, with his mother. After her death, it seems Mr Wells took over the lease and lived there alone.

He appears to have led a solitary life with perhaps his only close friend, Ms Winsome Gooding.

There is no evidence of Mr Wells seeing a doctor after September 2019.

Circumstances of Death

Mr Wells was last verifiably alive around 24 June 2020 when he was seen by a neighbour, Mr Michael Banfield. Police attended his address on 8 July 2020 because of a concern for his welfare. They found his unit locked and secure. With the assistance of a real estate agent, a key was obtained and the unit entered.

Police indicated that upon entering the unit they noticed it was very cold as well as very cluttered with piles of paper and suchlike. After a quick search, Mr Wells' body was located in his bedroom half under his bed. He had no clothing on his upper body.

An officer from Forensic Services attended and assisted with the investigation. A large amount of money – \$69,195.90 to be precise – was located and seized by police. Nothing was located at the scene to suggest that Mr Wells had been the victim of assault or violence.

Mr Wells' body was formally identified by his friend, Ms Gooding, and then taken to the Launceston General Hospital (LGH). The following day at the LGH, an autopsy was carried out by pathologist, Dr Terry Brain. In his report to me, Dr Brain expressed the opinion that the cause of Mr Wells' death was hypothermia. I accept Dr Brain's opinion. I note that at autopsy Dr Brain found that Mr Wells only weighed 38 kg. Dr Brain did not find any injuries on Mr Wells' body and nothing to suggest he had been the victim of an assault. Specifically, his scalp and skull were normal.

Samples taken from Mr Wells' body at autopsy were subsequently analysed at the laboratory of Forensic Science Service Tasmania. Therapeutic levels of morphine and sub-therapeutic levels of melatonin were identified as being present in those samples.

The source of the morphine remains a mystery. There is no evidence that Mr Wells was prescribed morphine at the time of his death.

Conclusion

As I have already said, I am satisfied that the cause of Mr Wells' death was hypothermia. I note Mr Wells' emaciated body was found in a cold unit, in winter in Launceston and with no clothing on his upper part of his body – the very circumstances in which hypothermia might be expected to develop. There is no evidence that Mr Wells was the victim of a crime; indeed the large sum of cash recovered from his unit and the absence of any physical injuries suggests very strongly that he was not.

Comments and Recommendations

The circumstances of Kenneth James Wells' lonely 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 those whose lives were touched by Mr Wells.

Dated: 10 June 2021 at Hobart in the State of Tasmania.

Simon Cooper
Coroner