



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 Barbara Lynette Sterling

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

- a) The identity of the deceased is Barbara Lynette Sterling;
- b) Mrs Sterling died in the circumstances set out further in this finding;
- c) The cause of Mrs Sterling's death was drowning; and
- d) Mrs Sterling died between 18 and 19 July 2020 in the River Derwent near Goodwood, Tasmania.

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

- Police Report of Death for the Coroner;
- Affidavits establishing identity and life extinct;
- Affidavit – Dr Donald Ritchey, State Forensic Pathologist;
- Report – Forensic Science Service Tasmania;
- Medical records – Tasmanian Health Service;
- Medical records – General practitioner;
- Affidavit – Mr Codie Arnold, sworn 19 July 2020;
- Affidavits – Ms Melinda Sterling, sworn 22 July 2020 and 27 July 2020;
- Affidavit – Mr Dale Burles, sworn 23 July 2020;
- Affidavits – Ms Wendy Vincent, sworn 23 July 2020 and 31 July 2020;
- Affidavit – Ms Sarah-Marie Dillon, sworn 23 July 2020;
- Affidavit – Mr Lakhwinder Singh, sworn 27 July 2020;
- Affidavit – Ms Marianne Harrison, sworn 28 July 2020;
- Affidavit – Constable Dean Edwards, sworn 9 November 2020;
- Affidavit – Constable Andrew Stewart, sworn 11 November 2020;
- Affidavit – Sergeant Bernard Peters, sworn 27 October 2020 (and photographs);
- Affidavit – Detective Constable Elise Clark, sworn 10 November 2020;

- Affidavit – Detective (rank not stated) Anthony Marr, Tasmania Police, sworn 10 November 2020;
- Affidavit – Senior Constable Chris Williams, sworn 27 October 2020;
- Affidavit – Constable Connor Young, sworn 22 November 2020;
- Affidavit – Senior Constable Trevor Maning, sworn 30 October 2020;
- Affidavit – Detective First Class Constable Thomas Gordon, sworn 27 November 2020;
- Affidavit – Detective First Class Constable Rebecca Norquay, sworn 10 November 2020;
- Affidavit – Constable Oliver Scott, sworn 10 November 2020;
- Affidavit – Senior Constable Cameron Brown, sworn 24 April 2021;
- Affidavit – First Class Constable Oliver Mundy-Castle, sworn 6 November 2020 (and photographs);
- Affidavit – First Class Constable Rebecca Turner, sworn 14 November 2020 (and photographs);
- Meteorological, tidal and mapping documentation; and
- Mobile telephone records.

Background

Mrs Sterling was born on 17 December 1950 on Tasmania's North West coast. She was one of five children.

She was married to William Sterling with whom she had two children, Melinda and Nicole.

At the time of her death, she was living at 11/13 Chardonnay Drive, Berriedale, an independent retirement living facility. She lived alone, and was friendly with a former partner, Mr Dale Burles.

It is apparent she was close to her family.

Mrs Sterling was known to walk frequently in the area of the Montrose Bay Foreshore.

There is evidence that in the lead up to her death, Mrs Sterling's mental health appears to have deteriorated. In particular, Mr Burles, Melinda and a close and old friend, Ms Marianne Harrison, all reported behaviour on Mrs Sterling's part capable of being interpreted as indicative of the fact that she was suffering from paranoia. Her GP records indicate a history of anxiety and depression.

There is conflicting evidence in relation to her swimming capability.

Circumstances of death

At about 9.20am on Sunday, 19 July 2020, what proved to be Mrs Sterling's body was seen by Mr Codie Arnold who was riding his bike near the Derwent Entertainment Centre. Mr Arnold, who did not have a mobile phone with him, rode home and told his brother what he had seen. His brother immediately contacted police.

The first police to arrive at the scene did so at about 10.05am. Mrs Sterling's body was lying face down in the sand on the water's edge, not far from the Derwent Entertainment Centre. She was fully clothed, wearing a green jumper, black trousers, grey socks and black shoes. Foam was visible around her mouth. Her body was carefully inspected and photographed *in situ*. The whole scene was the subject of a detailed investigation. Forensic service officers as well as detectives from the CIB attended the scene and carried out appropriate investigations.

Mrs Sterling was unable to be identified at first. No form of identification was found with or near her body. Her body was taken to the mortuary at the Royal Hobart Hospital while enquiries were continued to attempt to establish identity.

An autopsy was carried out by the Tasmanian State Forensic Pathologist, Dr Donald Ritchey. Dr Ritchey provided a report, in which he expressed the opinion, that the cause of Mrs Sterling's death was drowning. Toxicological analysis of samples taken at autopsy revealed no significant acute toxicity.

I accept Dr Ritchey's opinion. Drowning is in effect a diagnosis of exclusion. Dr Ritchey did not find any anatomical cause for Mrs Sterling's death but a number of indicators suggesting drowning. In the absence of any anatomical or toxicological explanation for her death, and given the circumstances in which her body was found, drowning appears to be the most logical explanation for it.

After enquiries and media releases, Mrs Sterling's body was able to be positively identified.

Investigation

Investigations carried out by Tasmania Police established that Mrs Sterling was last verifiably alive when she was dropped by a taxi driver not far from where her body was found at 6.43pm on Saturday, 18 July 2020. The taxi had picked her up from the Granada Hotel, at Berridale, not far from her home.

I am satisfied that there are no suspicious circumstances associated with the taxi ride or her disappearance generally. There is no evidence of the involvement of any other person in her death.

I am unable to determine how, why or where Mrs Sterling entered the waters of the River Derwent.

There is evidence, to which I have already made reference, that her mental health was, in the lead up to her death, poor. There is some suggestion that she may have expressed suicidal ideation in the past. Nonetheless, I cannot be satisfied, to the requisite legal degree, that the actions which caused her death (i.e. entering the waters of the River Derwent) were undertaken by her voluntarily and with the express intention of ending her own life. It may be that her death was due to suicide; it is equally possible that she entered the water accidentally and was unable to recover herself.

Comments and recommendations

I extend my appreciation to investigating officer, Senior Constable Cameron Brown, for his investigation and report.

The circumstances of Mrs Sterling'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 Mrs Sterling.

Dated: 2 September 2021 at Hobart in the State of Tasmania.

Simon Cooper
Coroner