



# 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, Olivia McTaggart, Coroner, having investigated the death of Andrew Dawson.

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

- a) The identity of the deceased is Andrew Dawson, date of birth 31 December 1976.
  
- b) Mr Dawson was 44 years of age at his death. He lived in Leith in the same residence as his adult children, Chloe Furley and Luke Shepherd. Mr Dawson occupied the separate, lower level of the residence and lived independently. He was unemployed. He had not been in a significant relationship since about 2002, when he separated from the mother of his children, Kylie Shepherd. Mr Dawson suffered depression and anxiety and was prescribed medication for these conditions. He used illicit drugs (including methamphetamine) heavily. He was well-known to police and had an extensive criminal history, including convictions for use and possession of drugs. He had numerous hospital presentations between 2019 and 2021 in respect of illicit drug toxicity and other health issues. On 19 September 2021, three months before his death, Mr Dawson presented to hospital, having attempted suicide by overdose of medication. It appears that Mr Dawson's mental health remained particularly poor after this incident.

Prior to Mr Dawson's death, it is likely that he was engaged in intimate relationships with two different females. This situation was discovered by one of the females and there followed a series of angry and emotional text messages, in which Mr Dawson threatened to end his life on multiple occasions. The last confirmed time upon the evidence when Mr Dawson was known to be alive was 11.56 am on Saturday 11 December 2021. It is possible that he responded to a message from his daughter three hours after that time but he subsequently did not respond to phone contact made by any person and was not seen alive again. At 9.12 pm the same day, two police officers attended his residence for a bail curfew check. Mr Dawson did not answer the door when the officers

attempted to raise him. The front of Mr Dawson's portion of the residence was glass, with an unobstructed view into the main living area and part of the bedroom (including a portion of the end of the bed). The officers made enquiries with the one of the upstairs occupants but were unable to gain access to Mr Dawson's locked residence. Mr Dawson did not respond to further knocking and the officers concluded that he was unlikely to be present. I note that it was the obligation of Mr Dawson pursuant to his bail conditions to ensure that he made all reasonable efforts to present himself during his curfew hours. It appeared, quite reasonably, to the officers that Mr Dawson was not present at the premises.

At 9.43 pm on 12 December 2021 two police officers (different from those attending the previous day) attended Mr Dawson's residence as a result of a call from Kylie Shepherd to police expressing concern for his welfare. The police officers spoke to Luke Shepherd, and likely his partner, and inspected the residence. Although it was locked, the officers were able, again, to see most of the interior of the residence with the exception of part of the main bedroom. There was no apparent activity within nor did anything appear unusual or out of place. Discussions occurred between the officers and Luke Shepherd and/or his partner regarding the desirability of the officers forcing entry, resulting in the officers not forcing entry at that time but deferring the attendance until the following morning when keys to the residence might be obtained.

The following morning, 13 December 2021, family members received assistance to force entry to Mr Dawson's residence before police attended. They discovered Mr Dawson deceased in his bed. Police officers attended the scene and commenced an investigation. They noted the residence was tidy in appearance and undisturbed, with items indicating recent drug use next to Mr Dawson's bed. It appeared to attending officers that Mr Dawson had been deceased for some time. There were no indications that any other person was involved in his death. I am satisfied, from a comparison between the police body-worn camera footage of the interior of the residence on 11 December 2021 and the forensic photos of the scene, that there was no change in the position of any items in the large visible portion of the residence. I am further satisfied upon the autopsy and toxicological evidence that Mr Dawson died as a result of ingesting methamphetamine.

- c) Mr Dawson's cause of death was methamphetamine toxicity. I am unable to determine whether Mr Dawson used the methamphetamine with the specific

intent of ending his life or whether he died unintentionally. He did not leave any suicide note and, apart from his text messages, there were no other clear indications in the evidence that he intended suicide at that time. I am satisfied, based upon the scene evidence and the expert opinion of the State Forensic Pathologist, that Mr Dawson was deceased by the time of the police attendance for a welfare check on the evening of 12 December 2021. The most likely scenario is that Mr Dawson commenced using methamphetamine in the early to mid-afternoon of 11 December 2021, with unconsciousness and death occurring over the following hours. He is likely to have been unconscious or deceased on his bed when the curfew check occurred that evening. I note that Mr Dawson was discovered lying deceased on his bed in an unusual sideways position close to the head of the bed. In this position, he was not visible to the officers and other persons looking into the residence from outside.

d) Mr Dawson died on 11 December 2021 at Leith, Tasmania.

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

- The Police Report of Death for the Coroner;
- Affidavits confirming life extinct and identification;
- Report of the State Forensic Pathologist who conducted the autopsy;
- Toxicology report of Forensic Science Service Tasmania;
- Patient Health Summary for Mr Dawson from Smartclinics Family Medical Centre;
- Ambulance Tasmania records for previous overdose incident in May 2019;
- Medical records for Mr Dawson from the North West Regional Hospital and the Mersey Community Hospital;
- Affidavit of Kylie Shepherd, previous partner of Mr Dawson;
- Affidavits of Luke Shepherd and Chloe Furley, children of Mr Dawson;
- Affidavit of Chloe Last, partner of Luke Shepherd;
- Police video-recorded interview with Robyn Graham, who had been in a relationship with Mr Dawson;
- Affidavits of two police officers who attended the residence on 11 and 12 December 2021 respectively before Mr Dawson was discovered deceased;
- Body-worn camera footage of the police curfew check of Mr Dawson on 11 December 2021;

- Affidavits and statements of three police officers, including a forensics officer and a detective, who attended the scene and investigated Mr Dawson's death;
- Information extracted from Mr Dawson's mobile phone; and
- Tasmania Police information in respect of Mr Dawson, including prior convictions, court and police bail notices.

### **Comments and Recommendations**

I am aware that Mr Dawson's family members have made a formal complaint to Tasmania Police to the effect that the officers who attended on the evening of 12 December 2021 should have forced entry by breaking the large panes of glass. I cannot, upon the available evidence, resolve the factual inconsistencies regarding conversations occurring between the officers and family members at that time. The officers did not activate their body-worn cameras, which might have assisted, but were not required to do so for a welfare check. In any event, it is unnecessary to make further findings or comment upon this issue, as I am satisfied that Mr Dawson was already deceased by that time.

I comment that the curfew check on 11 December 2021 was appropriately conducted.

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

The circumstances of Mr Dawson's death are not such as to require me to make any recommendations pursuant to Section 28 of the *Coroners Act 1995*.

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

**Dated:** 19 June 2023 at Hobart in the State of Tasmania.

**Olivia McTaggart**

**CORONER**