



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 Adam Ian Bennetts

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

- a) The identity of the deceased is Adam Ian Bennetts;
- b) Mr Bennetts died as a result of injuries sustained by him as driver, and sole occupant, of a vehicle involved in a single motor vehicle crash. The vehicle he was driving, whilst towing a trailer, left the road, rolled over and crashed into a power pole. Mr Bennetts was intoxicated at the time of the crash. (0.172 g per 100 mL of blood);
- c) The cause of Mr Bennetts' death was head and chest injuries; and
- d) Mr Bennetts died on 4 September 2022 at Tasman Highway, Tonganah, Tasmania.

In making the above findings I have had regard to the evidence gained in the investigation into Mr Bennetts'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;
- ambulance Tasmania – Patient Care Record;
- Medical Records – Adam Bennetts;
- Affidavit – Mr Ian Bennetts, sworn 13 November 2022;
- Affidavit – Ms Kylie Beames, sworn 14 September 2022;
- Affidavit – Mr Thomas Forsyth, sworn 7 September 2022;
- Affidavit – Mr Alex Illman, sworn 30 October 2022;
- Affidavit, Mr Casey Perkins, Transport Safety and Investigation Officer, sworn 6 December 2022;

- Affidavit – Senior Constable Rodney Walker, sworn 13 November 2022 (and photographs);
- Affidavit – Sergeant Nick Lynch, sworn 31 January 2023 (and drone photographs and footage of the scene of the crash);
- Affidavit – Senior Constable Andrew Chadwick, sworn 14 September 2022 (and Body Worn Camera Footage); and
- Affidavit – Senior Constable Michal Rybka, Northern Crash Investigation Services, Tasmania Police, sworn 7 January 2023, together with report and scene plans.

Mr Bennetts died when the vehicle he was driving left the road, rolled over in a drainage culvert and crashed into a power pole off the northern side of the Tasman Highway at Tonganah.

He suffered massive injuries including fractures of his skull, face, jaw, ribs and spine. Those injuries were almost immediately fatal.

Mr Bennetts was intoxicated at the time of the crash. There is also evidence that he was suffering from fatigue.

I am satisfied that no other person was involved in the crash. I am also satisfied that the condition of the road surface and the weather did not cause or contribute to the happening of the crash. I note the vehicle he was driving was in a sound mechanical condition.

There are no suspicious circumstances associated with Mr Bennetts' death.

Comments and Recommendations

The circumstances of Mr Bennetts'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 Bennetts.

Dated: 31 October 2023 at Hobart, in the State of Tasmania.

Simon Cooper
Coroner