



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 Graham Seth Wells

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

- a) The identity of the deceased is Graham Seth Wells;
- b) Mr Wells died as a result of injuries sustained, as driver, in a two vehicle motor vehicle collision;
- c) The cause of Mr Wells' death was chest, spine, pelvic and limb injuries; and
- d) Mr Wells died, aged 68 years, on 22 October 2022 at the Bass Highway Latrobe, Tasmania.

In making the above findings I have had regard to the evidence gained in the comprehensive investigation into Mr Wells' death. The evidence includes;

- Police Report of Death for the Coroner;
- Affidavits establishing identity;
- Report – Dr Andrew Reid, Forensic Pathologist;
- Records – Ambulance Tasmania;
- Reports - Forensic Science Service Tasmania;
- Medical Records – Latrobe Family Medical Practice (Mr Wells)
- Medical Records – Ms Skye Marie Hayes;
- Affidavit – Ms Ena Jewell, sworn 7 November 2022;
- Affidavit – Ms Skye Marie Hayes, sworn 16 November 2022;
- Affidavit – Mr Christopher Barry, sworn to November 2022;
- Affidavit – Mr Peter Lilley, sworn 1 November 2022;
- Affidavit – Mr Tyler Spalding, sworn 30 October 2022;
- Affidavit – Sergeant Leighton Riggall, sworn 30 October 2022;
- Affidavit – First Class Constable Mark Johnson, sworn 18 November 2022 (and photographs);

- Affidavit – First Class Constable Jodie Duncan, sworn 2 January 2023 (and scene photographs)
- Affidavit – Sergeant Katrina Chivers, sworn 28 October 2022 (and photographs);
- Affidavit – First Class Constable Nigel Housego, Crash Investigation Section, sworn 23 October 2022;
- Affidavit – Mr Caleb Davies, Transport Safety and Investigation Officer sworn 8 November 2022; and
- Forensic and other evidence.

I am satisfied that Mr Wells died in the morning of 22 October 2022 on the Bass Highway near Latrobe from injuries sustained in a motor vehicle crash. At the time of the crash, Mr Wells was the driver and only occupant of a Ford Focus sedan that was travelling east (from Devonport towards Launceston). Mr Wells' vehicle crossed over the centre line and into the path of a westbound Hyundai motor vehicle driven by Ms Skye Hayes.

At the time of the crash, it was raining and the road was wet.

A subsequent inspection of Mr Wells' motor vehicle showed it to have had non-compliant rear tyres; however, it seems unlikely that those tyres alone caused or contributed to the happening of the crash.

There is no evidence of the involvement of alcohol or drugs in the happening of the crash.

There is no evidence that enables a conclusion as to why Mr Wells' vehicle left its lane and ran into the path of the vehicle driven by Ms Hayes.

Ms Hayes is in no way to blame for the happening of the crash.

Comments and Recommendations

I wish to express my thanks to Senior Constable Hayden Barnard for his investigation of the crash and the comprehensive file he submitted for my consideration.

The circumstances of Mr Wells' 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 Wells.

Dated: 15 November 2023 at Hobart in the State of Tasmania.

Simon Cooper
Coroner