



# 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, Duncan Fairley, Coroner, having investigated the death of Martin John Towns

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

- a) The identity of the deceased is Martin John Towns;
- b) Mr Towns died in the circumstances set out below;
- c) Mr Towns died as a result of an acute on chronic subdural haematoma;
- d) Mr Towns died on 30 December 2015 at Unit 3/33 Melbourne Street, South Launceston;
- e) Mr Towns was born in Launceston, Tasmania on 27 January 1977 and was aged 38 years; and
- f) Mr Towns was single and was unemployed as at the date of his death.

#### **Background:**

Martin John Towns was born in Launceston, Tasmania on 27 January 1977 to Hilton Towns and Sallie Brazendale. Prior to 2011 Mr Towns was an industrious man who was able to build a successful business. At that time Hilton Towns died as a consequence of cancer. Shortly thereafter Mr Towns' long-term de facto relationship ended. According to Mr Towns' family and friends these events triggered his descent into uncontrolled alcoholism. The business ceased operating and Mr Towns sold his substantial assets in order to fund his consumption of alcohol. At the time of his death Mr Towns was residing in rental accommodation situated at 33 Melbourne Street, South Launceston.

Approximately 6 months prior to his death Mr Towns joined a Pentecostal Church group. He was given work and lodgings by members of the congregation, Terrance and Glenda Della Valle. For a number of months Mr Towns was able to abstain from alcohol while he worked in the Della Valle asphaltting business. During October 2015 Mr

Towns left the Della Valle's residence due to a dispute over wages and an allegation that he had failed to comply with the rules of the church. He moved into the Melbourne Street share house and recommenced the heavy daily consumption of alcohol.

According to the owner of the Melbourne Street premises, Mr Stephen Spencer, a complaint was received concerning Mr Towns on the same evening that he commenced to occupy the residence. Upon investigating Mr Spencer was informed by Mr Towns that he had locked himself out of the residence and attempted to gain entry via the bathroom window. During the process, Mr Towns confirmed that he had fallen, striking his head on the cast iron bathtub. Mr Spencer observed cuts and bruising to Mr Towns' face and forehead which were consistent with such an event.

On 5 November 2015 Mr Towns was taken by his long-time friend Drew Imlach to Alcohol and Drug Services, Launceston. At the conclusion of that meeting Mr Towns voluntarily admitted himself to the Northside Psychiatric Clinic of the Launceston General Hospital. Upon admission Mr Towns related a history of suicidal thoughts including a recent overdose of prescription medication and paracetamol. Mr Towns discharged himself on 8 November 2015.

During November 2015 Mr Spencer recalls observing further abrasions to Mr Towns' face. When questioned Mr Towns stated that he had been assaulted while drinking in the Launceston city precinct. He could not say who had attacked him or where. A review of the police database from this period indicates the matter was not reported.

In his statement to coronial investigators Mr Spencer related a subsequent conversation with Mr Towns during which the latter said he had been assaulted by Terrance Della Valle and his son Beau. According to Mr Towns both men attended the Melbourne Street address on 20 December 2015 and attacked him in retribution for a burglary which had occurred at the Della Valle's property. Mr Spencer did not observe any injuries to Mr Towns during their discussion. Subsequent to Mr Towns' death Terrance and Beau Della Valle were interviewed by police. Both men agreed that they had confronted Mr Towns on 20 December 2015, however, each denied that the altercation was anything other than verbal in nature.

During mid-December 2015 Jason Andrew Moore moved into the Melbourne Street address. Mr Moore described Mr Towns as a heavy drinker of wine and stated that it was not uncommon for his housemate to consume alcohol to the point he would lose consciousness. Mr Moore noted that it was not unusual for Mr Towns to be found asleep on the floor of the residence in odd positions subsequent to becoming intoxicated.

### **Circumstances Surrounding the Death:**

During the evening of 29 December 2015, Mr Moore returned to the Melbourne Street residence together with Dale Andrew Kennedy, who was also occupying the share-house for a brief period, and a female acquaintance Amanda Louise Dennis. All occupants, including Mr Towns, consumed alcohol throughout the evening and into the early hours of the following morning. Mr Kennedy and Ms Dennis then slept in Mr Moore's bedroom.

On 30 December 2015, at approximately 8:30am, Moore, Kennedy and Dennis left the residence. Upon departing they observed Mr Towns lying in the doorway leading from the laundry into his bedroom. Mr Towns was covered by a doona and his position on the floor was consistent with Moore's previous experiences. In their statements to coronial investigators both Moore and Dennis stated that Mr Towns appeared to be asleep.

At approximately 9:50pm, on 30 December 2015, Mr Moore returned to 33 Melbourne Street. He found the front door ajar but was not concerned as it was common for the premises to be left unlocked and for the door to be blown open by the wind. Upon entering Mr Moore observed Mr Towns lying in exactly the same position in his bedroom doorway. Mr Towns remained covered by the doona. When Mr Moore attempted to wake his housemate it became apparent that Mr Towns had suffered an injury. A significant amount of coagulated blood was present on the floor adjacent to Mr Towns' face and torso.

Emergency services were called to attend, however, it was immediately obvious that Mr Towns had been deceased for some time. No attempt was made at resuscitation. Mr

Towns was transported to the Royal Hobart Hospital by mortuary ambulance. A thorough search of the premises showed no signs of a struggle or violent physical altercation. A small amount of blood was located on a window ledge in the lounge room of the residence. Subsequent DNA analysis revealed the blood found on the window ledge to belong to Mr Kennedy. Sergeant Sharmaine Ward has provided a statement which details an unrelated incident from 28 December 2015 where police were required to deal with Mr Moore and Mr Kennedy. At that time Sergeant Ward noted that Mr Kennedy had what appeared to be fresh blood on his hands.

Dr Christopher Lawrence (State Forensic Pathologist) conducted a full autopsy on Mr Towns' body on 1 January 2016. Analysis of samples taken during the post mortem examination revealed a blood alcohol concentration of 0.129 g/100mL together with Mr Towns' prescribed medications, fluoxetine (an antidepressant of the SSRI class) and diazepam. At the conclusion of the autopsy Dr Lawrence opined that Mr Towns had died of an acute on chronic right hemisphere subdural haematoma. He observed that the subdural haematoma appeared to be largely acute, however, there existed evidence of a previous subdural haematoma likely incurred a number of weeks or months earlier. At autopsy the only observable injury to the head was a small, apparently superficial abrasion to the region of the temple.

In his report to the Office of the Coroner the Forensic Pathologist states:

*"The circumstances surrounding the injury need to be established by Police investigation, but there are clearly at least two episodes of trauma, one possibly a week, and probably weeks to months earlier. The first subdural haemorrhage is at risk of re-bleeding due to minor trauma and the second episode may have been relatively minor. Given the history of alcoholic liver disease and heavy alcohol use this man was a high risk for falls"*

I am unable to determine, on the evidence obtained during the exhaustive investigation, the precise cause of the incident which likely triggered the re-bleeding event and Mr Towns' eventual death. The history provided by third party witnesses details two significant incidents, a fall onto a bath tub and an assault by unknown assailants, either of which would adequately account for the presence of the chronic subdural

haematoma observed by Dr Lawrence. I consider it is likely that, while significantly intoxicated, Mr Towns fell at some point during the early hours of 30 December 2015 and struck his right temporal region. As a result he suffered a further subdural haemorrhage, which, over a number of hours, resulted in his death.

**Comments and Recommendations:**

In the circumstances there is no need for me to make any further comment or recommendations. I convey my thanks to Detective Christopher Knight for his thorough investigation and report.

In concluding, I convey my sincere condolences to the family of Mr Towns.

**Dated:** 5 February 2018 at Launceston Coroners Court in the State of Tasmania.

**Duncan Fairley**  
**Coroner**