



MAGISTRATES COURT *of* TASMANIA

CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Olivia McTaggart, Coroner, having investigated the death of Robert John Robinson

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

- a) The identity of the deceased is Robert John Robinson, date of birth 11 October 1950;
- b) Mr Robinson was 72 years of age, was widowed and did not have any children. He lived by himself in a granny flat on the residence of his long-time friend and carer, Stephen Bassett. Mr Robinson had an intellectual disability which affected him throughout his schooling and limited his employment in adulthood. However, Mr Robinson dedicated his time to helping charities in the Launceston area. He was able to obtain a driver's licence which was a significant achievement for him. Mr Robinson had a heart attack in 2018 for which he received medical treatment.

In 2022, Mr Robinson's wife passed away from cancer and Mr Robinson was impacted greatly by her death. He did not enjoy being at home without her and he would take long walks throughout the Gravelly Beach area at varying hours, including at night.

On 15 August 2023, Mr Robinson left his residence to go for a walk. At 12.40pm a friend of Mr Robinson, Maria Boersma, saw Mr Robinson on the nearby Stoney Creek bridge. He had stopped and was looking into the water and boatyard. Ms Boersma beeped her horn at Mr Robinson who turned around and waved. It appears that this was the last time Mr Robinson was seen alive.

On the night of 15 August 2023, Mr Bassett went to deliver Mr Robinson his evening meal but Mr Robinson was not home. Mr Bassett further visited Mr Robinson's granny flat on both the morning and evening of 16 August 2023. Again, he was not home. Mr Robinson would normally visit friends or go to church events in Exeter, and so Mr Bassett was not particularly concerned. On the

morning of 17 August, when Mr Robinson was still not at home, Mr Bassett contacted police.

Attending police officers conducted searches of walking tracks often frequented by Mr Robinson as well as the homes of his friends. At approximately 10.30am that day, John Hammond contacted police after discovering a body in a creek in Rose Bay Park in Gravelly Beach (“the park”) whilst he was out walking his dog. The park comprises a large area of land on the Gravelly Beach foreshore which includes children’s play equipment, barbecues, basketball courts and a skate park. The park is located only 200-300 metres from Mr Robinson’s residence.

Upon arrival, the police officers located Mr Robinson’s driver’s licence (and photo identification) on the body. A friend of Mr Robinson later formally identified him. Mr Robinson was lying face down in a tidal creek close to a footbridge over the creek located at the northern end of the park. He was fully clothed. He was lying in the western side of the creek near a concrete pipe protruding from the bank of the creek directly above his position. The attending police officers noted that a small uprooted tree was over Mr Robinson’s body and that there was an unfenced gap on the embankment next to the footbridge with tree roots on the ground.

At autopsy, the forensic pathologist concluded that Mr Robinson died of drowning after a head strike which rendered him unconscious. He did not have alcohol or illicit substances in his system. I cannot determine the exact manner in which his fall occurred. The most plausible scenario is that he fell into the creek (possibly tripping on an exposed tree root) from the small section of unfenced embankment next to the footbridge. At this point, it appears that Mr Robinson tried to grab onto a small tree to stop his fall but, unfortunately, this only resulted in the tree becoming uprooted and falling into the creek with him. It is possible that Mr Robinson struck his head upon the concrete pipe during his fall. It is also possible, but less likely, that Mr Robinson fell into the creek as a result of standing on the concrete pipe or as a result of over-balancing whilst leaning on the low foot bridge rail. It may be that it was dark when Mr Robinson fell, and reduced visibility may have contributed to the unfortunate circumstances.

- c) The cause of Mr Robinson’s death was drowning following a traumatic closed head injury due to a fall down an embankment into a creek. I am satisfied that his death was accidental and there were no suspicious circumstances.
- d) Mr Robinson died between 15 and 17 August 2023 at Gravelly Beach, Tasmania.

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

- The Police Report of Death for the Coroner;
- Affidavits regarding identity;
- Opinion of the forensic pathologist who conducted the autopsy;
- Toxicology report from Forensic Science Service Tasmania;
- Tasmanian Health Service records;
- Records from Exeter Medical Centre;
- Affidavit of Stephen Bassett, friend and carer of Mr Robinson;
- Affidavit of John Hammond, who discovered Mr Robinson deceased;
- Affidavit of Maria Boersma, who last saw Mr Robinson alive; and
- Affidavits of two attending and investigating police officers, including photographs.

Comments and Recommendations

In this investigation, the investigating officer identified potential safety issues at the location of Mr Robinson's death. These include:

- The lack of a guard rail along the edge of both sides of the creek near the footbridge, particularly in light of the significant drop from the top of the embankment to the bottom of the creek;
- The footbridge rail appears to be significantly lower than what is required by current safety standards; and
- A lack of lighting on the footpath and footbridge, with little assistance from surrounding light due to the location and vegetation.

I cannot make positive findings upon the evidence regarding these issues or whether they contributed directly to Mr Robinson's death. Further, I am not aware of any previous safety incidents occurring at this location. However, I did not task the investigating officer to specifically make such enquiries. Such information is likely to be known to the West Tamar Council, which is responsible for the park.

It is appropriate that these possible safety issues, properly raised by the investigating officer, be further investigated by the West Tamar Council.

I **recommend** that the West Tamar Council conduct an assessment of the safety of the footbridge and creek area of Rose Bay Park in Gravelly Beach; and, with regard to the

results of such assessment, implement any appropriate measures to enhance the safety of those using the park.

I extend my appreciation to investigating officer Senior Constable David Eaton for his very high quality investigation and report.

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

Dated: 18 June 2024 at Hobart, in the State of Tasmania.

Olivia McTaggart
Coroner