



# 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 Janet Robyn Ward

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

- a) The identity of the deceased is Janet Robyn Ward, date of birth 15 November 1959.
- b) Mrs Ward was 62 years of age and lived with her husband, Leigh Ward, at Turners Beach. They have three children together. Mrs Ward, a retired administrative assistant, was born in Wollongong where she lived until 2021. Mr and Mrs Ward then relocated to Tasmania upon their retirement.

At 4.22pm on 8 March 2022, Mr Ward was driving his 2016 Mazda 2 Neo hatchback on Forth Road at Don. He was travelling in an easterly direction on a downhill incline after having just navigated a blind crest. Mrs Ward was the front seat passenger in the vehicle. At the same time and place, James Jarman, aged 20 years, was driving a Ford Ranger dual cab utility in the opposite direction travelling uphill. As he travelled uphill, his vehicle crossed onto the incorrect lane, moving over the double white centre lines as it did so. Mr Ward was forced to take evasive action to avoid hitting the Ford utility. However, there was no ability for Mr Ward to swerve further off the road (that being the correct side of the road for his direction of travel) due to the presence of large trees and an embankment. He therefore had no option but to move to the incorrect side of the road to avoid the Ford utility. At the same time, Mr Jarman veered back into his correct lane and collided head-on with the Mazda. The impact between the vehicles caused catastrophic damage to the Mazda, pushing the passenger side inwards towards the driver's side. This resulted in fatal injuries to Mrs Ward, including severe head and chest injuries. She died at the scene.

I am satisfied that a very thorough investigation has taken place in respect of Mrs Ward's death. The evidence in the investigation revealed that Mr Jarman was accessing the Snapchat instant messaging application on his phone in the seconds

before the crash. I am satisfied upon the evidence that no part was played in this crash by speed, alcohol, drugs, road and weather conditions, or vehicle defects. I am satisfied that the crash was solely due to Mr Jarman's negligent driving in crossing onto the wrong side of the road because he was distracted whilst using his mobile phone. Mr Ward could not have done anything more to avoid the crash.

- c) Mrs Ward died as a result of multiple injuries in a two-vehicle collision.
- d) Mrs Ward died on 8 March 2022 at Don, Tasmania.

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

- The Police Report of Death for the Coroner;
- Affidavits confirming identity;
- Opinion of the forensic pathologist regarding cause of death;
- Toxicology report of Forensic Science Service Tasmania;
- Analysis of blood sample from Leigh Ward and James Jarman;
- North West Regional Hospital records for Mrs Ward;
- Affidavit of Leigh Ward, husband of Mrs Ward and driver of the Mazda;
- Police video interview of James Jarman, driver of the Ford utility;
- Affidavits of four eyewitnesses to the circumstances of the crash;
- Statutory declaration of Katrina Lewis, mother of Mr Jarman;
- Affidavit of Caleb Davies, Transport Safety and Investigation Officer;
- Affidavits of four attending and investigating police officers, including photographs and drone footage;
- Phone records of James Jarman;
- Report of Senior Constable Adam Lloyd, Collision Analyst;
- Magistrates Court of Tasmania documents relating to the charge against Mr Jarman; and
- Crash history from the Department of State Growth.

### **Comments and Recommendations**

Mr Jarman was charged with and pleaded guilty in the Magistrates Court to causing death by negligent driving contrary to section 32(2A) of the *Traffic Act 1925*. On 1 July 2024, Magistrate Hughes convicted and sentenced Mr Jarman to four months imprisonment, such sentence being wholly suspended for a period of 18 months on the condition that he not

commit another offence punishable by imprisonment. Mr Jarman was also disqualified from driving for a period of 14 months.

In sentencing, Magistrate Hughes commented that no message, call or social media post is important enough to place other road users at risk. I endorse this statement. It is a well-publicised fact that driver distraction caused by mobile phone use can so easily result in terrible consequences. Mrs Ward's tragic death is such a case.

I extend my appreciation to investigating officer Senior Constable Damien Howden and Senior Constable Adam Lloyd for their high-quality investigation and reports.

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

I convey my sincere condolences to the family and loved ones of Mrs Ward.

**Dated:** 28 January 2025 at Hobart, in the State of Tasmania.

**Olivia McTaggart**  
**Coroner**