



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 Kenneth Warn

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

- a) The identity of the deceased is Kenneth Warn, date of birth 7 April 1938.
- b) Mr Warn died in the circumstances set out in this finding.
- c) Mr Warn died as a result of injuries sustained as a passenger in a single motor vehicle crash as well as his numerous pre-existing medical conditions.
- d) Mr Warn died on 27 May 2024 at the Royal Hobart Hospital in Hobart, Tasmania.

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

- The Police Report of Death for the Coroner;
- Tasmanian Health Service Death Report to Coroner;
- Affidavit confirming identity;
- Opinion of the forensic pathologist regarding cause of death;
- Mr Warn's medical records;
- Affidavit of Renee Quarrell;
- Affidavit of Laurence Tegg, driver of the vehicle involved in the crash;
- Affidavit of Stuart Clark, a motorist who witnessed the crash;
- Affidavits of attending police officers, including a crash investigation officer, and body worn camera footage and photographs;
- Vehicle inspection report of Craig Shepherd, transport inspector; and
- Tasmania Police documentation and records.

Background

Mr Warn was 86 years of age and lived alone on his family farm in Pawleena, Tasmania. He was born and raised in Tasmania. Mr Warn grew up on the farm and went on to become both

a farmer and qualified mechanic. Despite his age, he continued to undertake various farm duties. At the time of his death, Mr Warn was in a significant relationship with Renee Quarrell who lived in Gagebrook. Mr Warn had three children from a previous marriage.

Mr Warn had a medical history that included congestive cardiac failure (with permanent pacemaker), osteoporosis, hyperkalaemia, type II diabetes, hypertension and polycythaemia rubra vera. Mr Warn also had longstanding vision and hearing loss.

Circumstances of death

At 8.30am on Friday 1 March 2024, Mr Warn's good friend, Laurence Tegg, drove his Mercedes panel van to Mr Warn's property in Pawleena to help him round up the sheep. At 12.10pm Mr Warn and Mr Tegg finished this task. Ms Quarrell had invited Mr Warn for lunch at her home in Gagebrook and Mr Tegg offered to drive Mr Warn to Ms Quarrell's home.

Later in the afternoon, Mr Warn and Mr Tegg left Pawleena for Gagebrook. Mr Tegg was driving his Mercedes and Mr Warn was the front seat passenger. Their drive through the town of Richmond led them onto Tea Tree Road with the intention of connecting to Gagebrook.

At 2.35pm, Mr Tegg was driving along Tea Tree Road at a speed of about 60 km/h in preparation of making a left-hand turn into Briggs Road. The weather and road conditions were good. Before making his left-hand turn, Mr Tegg suddenly lost control of the vehicle. The vehicle veered onto the grass and gravel verge on the left-hand side and continued forward, hitting a concrete culvert and crashing through the fence of the property at 180 Tea Tree Road before coming to a stop. Mr Tegg was largely uninjured. Mr Warn suffered severe back pain but remained conscious.

Mr Warn was attended to at the scene by Ambulance Tasmania paramedics and then transported to the Royal Hobart Hospital. In hospital, he was assessed as having sustained a T12 (thoracic spine) burst fracture from impact, and bilateral large pleural effusions related to his existing heart failure. As a hospital inpatient, he was treated conservatively with a brace and, once stable, participated in rehabilitation. His other significant medical conditions, unrelated to trauma from the motor vehicle crash, were also treated and managed over the following weeks. Unfortunately, on about 13 May 2024, Mr Warn experienced left leg weakness (unrelated to his spinal fracture), decreased oral intake, increasing frailty and deconditioning. On 25 May 2024, he was assessed as being in terminal delirium. He passed away on 27 May 2024 after developing a new pneumonia from presumed aspiration.

Upon the evidence in the investigation, I am unable to positively determine why Mr Tegg's vehicle lost control. I am satisfied that speed, weather, alcohol, drugs and road conditions did

not play any part in the crash. I have had the benefit of viewing the body worn camera footage of the police officers attending the scene of the crash. In that footage, Mr Tegg advised the officers on numerous occasions that he suddenly lost steering and could not explain why. He did not indicate that any other vehicle was involved, explaining only that a vehicle passed him “fine” at about the time of losing his steering.

In his affidavit sworn after Mr Warn’s death, Mr Tegg indicated that a white utility which was travelling in the opposite direction partly over the centre line was responsible for the crash, as it caused Mr Tegg to veer to his left and off the road. I do not accept this explanation. Mr Tegg would have told the police officers at the scene if this had occurred. Further, the motorist, Stuart Clark, who was travelling in the opposite direction, witnessed the crash and stopped to provide police with information. Mr Clark was driving a white Toyota HiLux utility. At the scene, Mr Clark said that he saw the Mercedes veer to the left as if a tyre had blown out. In his subsequent affidavit, Mr Clark reiterated that he witnessed the vehicle suddenly veering to the left *“as if the driver wasn’t paying attention or asleep”*.

Several months after Mr Warn’s death, a transport inspector examined the Mercedes and found that both left side tyres were deflated and there was some associated damage to them. It cannot be determined whether the damage to one or both tyres resulted from a sudden blowout whilst Mr Tegg was driving, or whether the damage was caused as part of the crash.

In conclusion, I am satisfied that no other vehicle was involved in the crash. I find that the crash occurred either due to a sudden tyre blowout not within the control of Mr Tegg; or, alternatively, because Mr Tegg lost concentration and unintentionally veered off the road. I cannot positively determine which of these two scenarios occurred.

Comments and Recommendations

The circumstances of Mr Warn’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 extend my appreciation to investigating officer Constable Pullen for her investigation and report.

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

Dated: 30 April 2025 at Hobart, in the State of Tasmania.

Olivia McTaggart
Coroner