CORONER'S COURT
OF NEW SOUTH WALES

Inquest:	Inquest into the death of Narayan Rodwell
Hearing dates:	2,3,4,11 April and 6 June 2025
Date of findings:	30 June 2026
Place of findings:	Coroner's Court of New South Wales
Findings of:	Judge David O'Neil, Deputy State Coroner
Catchwords:	CORONIAL LAW – police pursuit—methamphetamine—mental health—tyre deflation devices
File number:	2022/00291564
Representation:	Ms J Caldwell instructed by Ms L Shephard of the (Crown Solicitor's Office) Mr P Kounnas for Mr D O'Donnell and Ms F Zsha'Mirzze Mr T Lowe for the Commissioner of NSW Police

Findings:

I make the following findings in relation to the death of Narayan Rodwell pursuant to s 81 of the *Coroners Act 2009* (NSW):

Identity: The person who died was Narayan Rodwell

Date of death: Narayan died on 29 September 2022

Place of death: Narayan died on the M1 Highway near Clothiers Creek NSW

Cause of death: Narayan died from multiple injuries.

Manner of death: Narayan died following collision with a vehicle whilst crossing the M1 Highway after a police pursuit

Orders

Non-disclosure and non-publication orders prohibiting publication of certain evidence have been made in this inquest. A copy of these orders, made final on 28 May 2026, pursuant to sections 65(4) and 74(1)(b) of the *Coroners Act 2009* (NSW), can be found on the Registry file.

Introduction

1 On 29 September 2022, Narayan Rodwell was being pursued by New South Wales police north of Byron Bay on the M1 motorway (from herein referred to as the "highway"). Police placed a tyre deflation device on the highway south of the turn off to Cabarita Beach. The deflation device deflated two tyres on the driver's side of the vehicle Narayan was driving. As the car slowed, Narayan exited the vehicle and ran onto the other side of the M1 where he was struck by two vehicles heading south. Narayan sustained multiple injuries and died at the scene. He was aged 32.

Inquest

2 The inquest into Narayan's death was held on 2, 3, 4 and 11 April and 6 June 2052. Oral reasons for findings were delivered on 28 May 2026.

3 Narayan's sisters, Suniti, Vrinda and Leila, and Narayan's brother, Brenden were present in person or online throughout the inquest. Narayan's brother, Dean, and his partner, who were represented by Mr Kounnas also attended throughout the inquest.

4 An inquest is a public examination of the circumstances of death. It provides an opportunity to closely consider what led to the death. It is not the primary purpose of an inquest to attribute blame or punish anyone for the death. The process of holding an inquest does not imply that anyone is guilty of any wrongdoing. Despite this there may nevertheless be factual findings which necessitate an adverse comment or criticism to be made.

5 The primary function of an inquest is to identify the circumstances in which the death occurred, and to make the formal findings required under s 81 of the *Coroners Act 2009* (NSW) (the Act); namely:

- the person's identity;
- the date and place of the person's death; and
- the manner and cause of death.

6 Another purpose of an inquest is to consider whether it is necessary or desirable to make recommendations in relation to any matter connected with the death. This involves identifying any lessons that can be learned from the death, and whether anything should or could be done differently in the future, to prevent a death in similar circumstances.

Coronial Investigation

7 Prior to holding the inquest, a detailed coronial investigation was undertaken. Investigating police, led by officers in charge Detective Sergeant Rachel Jolley and Superintendent Grant Erickson compiled an initial brief of evidence, including statements from police, civilians and experts. Additionally multiple documents were gathered including documents relevant to Narayan's background and relevant police policies. The court also received CCTV footage, from areas in Byron Bay where Narayan had driven the day of his death.

8 The coronial investigation formed part of the three volume brief of evidence that was tendered at the commencement of the inquest.

9 The sufficient interest parties in the proceedings were the family members referred to above and the Commissioner of NSW Police.

Witnesses

10 The following witnesses gave oral evidence in the inquest:

1) Natalie Greenland a coworker,
2) James Whelan a coworker,
3) Brodie Nossiter a coworker,
4) Susan Byrne a counsellor attached to The Buttery,
5) Michael Stevens a civilian witness,
6) Grant Simmons a civilian witness,
7) Sergeant Justin Mathewson (who was a Senior Constable at the time of the incident),
8) Acting Inspector Christopher Neeves,
9) Constable Isaac Brigginshaw, and,
10) Inspector Craig Storey,

Background

11 Narayan was raised in Oberon, New South Wales. He had three sisters and two brothers. Narayan's parents were both heroin users. Narayan described his childhood as rough, dysfunctional and chaotic. He told Ms Byrne that he'd been surrounded by drug users during his childhood and that had affected his own use of substances in adulthood. Narayan was an intelligent and athletic school student. He achieved well in the HSC and played representative level rugby league. His 20s, tragically, were marred by drug addiction, poor mental health and criminality which led to a two year period of incarceration in Queensland.

12 Upon his release from custody in 2019, Narayan sought to remove himself from negative influences and lifestyle. He gained employment, as a bush regenerator and participated in yoga and meditation. Work colleagues and friends described him in glowing terms. Despite moving away from a world of regular amphetamine use, Narayan suffered relapses which occurred, on his own description, "approximately every seven months".

13 Narayan's mental health struggles are an integral part of his story. He was admitted to hospital on six occasions between 2010 and 2019 relating to his drug use and mental health issues. Narayan understood that he had a diagnosis of bipolar disorder. However, whilst there is a clinical note from his GP in 2012 querying a bipolar 1 diagnosis, there was never a formal diagnosis of bipolar 1 disorder.

14 In February 2013, a psychiatrist gave Narayan a principal diagnosis of drug induced psychosis. On the evidence, Narayan's relapses had elements of mania or manic behaviour.

15 During the July to September period in 2022, Narayan seemed troubled to his friends. He missed work on occasions, and on other occasions, he would be at work but seem vacant and not willing to participate within the group as much as usual. A coworker gave evidence that in late August and early September, Narayan purchased methylamphetamine on three occasions. After consuming those drugs, Narayan appeared to be withdrawn, anxious, distracted and not engaging in his usual level of conversation. Friends also gave evidence that Narayan indicated he was having some relationship problems.

16 On 14 September 2022, Narayan spoke to Ms Byrne of The Buttery, a drug and alcohol misuse and mental health rehabilitation service located in Byron Bay, and described his use of

methylamphetamine as debilitating. He was extremely eager to commence therapy to help him stop relapsing. Initially, Narayan signed up for The Buttery's residential drug rehabilitation program. However, that program did not support people with mental health diagnoses, and Ms Byrne indicated a dual program assisting with mental health and substance abuse difficulties would be more appropriate.

17 On 21 September 2022, Narayan met with Ms Byrne. She conducted a psychological and social assessment and considered Narayan to be clear, coherent and able to focus on the conversation, as well as not to be displaying acute mental health symptoms of bipolar disorder. Narayan told Ms Byrne that he had last used methylamphetamine the previous week. Ms Byrne identified some of the stressors in his life, namely concerns about his finances and impending homelessness due to his strained relationship, which had arisen in part as a result of Narayan's methylamphetamine use which had caused his partner to be upset, angry and violent towards him.

18 On 27 September 2022, Narayan returned to work following a two week absence. He told his work manager that he had experienced a manic episode and had been drinking, gambling and smoking, which were things he would never do with his reformed self. Those activities are an example of a form of mania or manic behaviour.

19 Narayan worked on 28 September 2022. Some work colleagues found him to again be reserved and gave the impression there were things troubling him. That afternoon, Narayan purchased methylamphetamine. He told a colleague he was feeling a bit bothered but would pull through. After that conversation, Narayan did not return to the place he was staying at until 6am the following morning. At that time, he appeared wide eyed and pale. His bed had not been slept in, and it seemed he had been up all night. He sent two messages telling a work colleague he would be at work in a short time but did not attend work at all that day.

20 That afternoon at about 4.30pm, the car Narayan was driving was seen to drive onto the wrong side of Ewingsdale Road, in an industrial area near Byron Bay, and then drive onto a bike track, colliding with flexible bollards in doing so. Narayan was seen to then travel behind a cyclist on the bike track before leaving the bike track and travelling on the wrong side of the road up to a roundabout. At the roundabout, he was observed to cause other vehicles to take evasive action to avoid coming into collision with the car he was driving.

21 Having set out that background, I will now turn to considering the issues set out in the issues list distributed to the parties in advance of the inquest. I will set out relevant factual matters as I comment on each of the issues. I am indebted to counsel assisting for her detailed submissions, which included much of the undisputed factual material upon which I have already drawn, and upon which I will continue to draw as I deal with the various issues. I will deal with Issue 4 first as there was little dispute in relation to this issue.

Issue 4 - Whether Mr Rodwell's manner of driving and response to the pursuit was impacted by:

a) his consumption of methylamphetamine; and/or

b) any mental health issues from which Mr Rodwell was suffering.

22 In his postmortem report, Dr Allan Cala set out that the toxicological analysis showed methylamphetamine in Narayan's blood at a level of 1 milligram per litre. Dr Cala observed that methylamphetamine is a highly addictive stimulant substance which has a variety of deleterious physical and psychiatric effects which vary in type and severity from person to person. Dr Cala further noted that the psychiatric effects of methylamphetamine varied from euphoria to overt paranoia and psychosis, which is characterised by paranoid delusions, hallucinations and bizarre, aggressive or violent behaviour. Methylamphetamine contributes to increased numbers of unnatural deaths due to increased risk taking and violent behaviour. Dr Cala found that methylamphetamine use was a significant contributing factor to Narayan's death.

23 On that evidence, I accept, as counsel assisting submitted and the family accepted, that Narayan's consumption of methamphetamine contributed to his manner of driving and his response to the pursuit.

24 In relation to Narayan's mental health, I accept both counsel assisting's and the family's submissions that whilst Narayan was having difficulties with his mental health around the time of his death, it is not possible to discern what, if any, impact that had on his driving or response to the pursuit.

Issue 1 - Whether it was reasonable and appropriate for NSW Police to have initiated a pursuit of Mr Rodwell

25 There was significant controversy as to the circumstances by which police were advised of Narayan's driving and the lack of note keeping in relation to the report to police. Civilian witness, Michael Stevens, saw Narayan driving on Ewingsdale Road. As I have touched upon, he saw Narayan pull out of the line of traffic and drive onto the incorrect side of the road, then drive onto a bike track, reduce his speed to drive behind a bike rider, re-enter the roadway, drive on the wrong side of the road for about ten metres until he reached the roundabout at the intersection of Ewingsdale Road and Bayshore Drive, drive around the roundabout in the correct direction whilst causing other cars to avoid colliding with his vehicle.

26 Mr Stevens described the driving as weaving in and out of cars to keep moving. He had the impression that the driver did not want to stay stationary. In his mind, the driving was both unusual and dangerous. Mr Stevens accepted that Narayan appeared to be able to control his vehicle but said it was the decisions the driver was making which caused him concern. He approached fellow civilian witness, Grant Simmons, at a BP Service Station at approximately 5.20pm and described what he had seen. Mr Simmons' impression was that Mr Stevens appeared shocked at the manner of driving. Mr Simmons then saw the vehicle swerving in and out of traffic, and people having to take action to avoid the vehicle. At one point, the vehicle stopped halfway in two lanes of the roundabout, causing people to keep going around him.

27 He said the driver had a blank stare and looked like he was looking to go somewhere or looking for someone. He observed that the driver's manner of driving was continuing and that it was not a one off mistake. Further evidence indicated there were approximately half a dozen other people at the service station who were watching and talking about Narayan's driving. Mr Simmons was worried about the welfare of the driver and the danger to the public from the manner of the driving, which included a concern that the driver may hurt other people if he was having a medical episode. It was for these reasons that he decided to call police. At approximately 5.29pm, Mr Simmons called his friend, Leading Senior Constable Heath Macauley, who was off duty at the time.

28 Mr Simmons gave evidence that the reason he called Leading Senior Constable Macauley instead of Byron Bay Police Station was that, in his view, the driver's conduct warranted quick

action. He thought Leading Senior Constable Macauley would probably respond more quickly than if he went through the normal channels because of their past relationship and Mr Simmons' background as a first responder. In his statement, Leading Senior Constable Macauley recalled Mr Simmons saying, "He's driving like a maniac. He's coming through the servo a couple of times and hit bollards out there". He asked whether any of the highway police working that afternoon could come out straight away. Leading Senior Constable Macauley thought Mr Simmons sounded in a controlled, but panicked state.

29 At approximately 5.31pm, Leading Senior Constable Macauley contacted Byron Bay Police Station and reported Mr Simmons' complaint to Leading Senior Constable Peter Watts. Senior Constable Matthewson said that at approximately 5.30pm, a job came into the station in relation to a Mazda 3 driving erratically, speeding around the industrial area in Byron Bay and hitting bollards. Senior Constable Mathewson gave evidence that Senior Constable Rushbrook or Senior Constable Watts also told him that the person was possibly hitting parked cars. There is no evidence that Narayan did, in fact, hit any parked cars, but according to Senior Constable Mathewson, the possibility that he had done so had been reported to police. Both Senior Constable Mathewson and Acting Inspector Chris Neeves gave evidence that they thought there were two phone calls made to police about Narayan's manner of driving.

30 Senior Constable Mathewson left the police station shortly thereafter. He drove to the industrial area and was waved down by three men at the BP Service Station, which he described as a concerned, distressed sort of wave to get his attention. Senior Constable Mathewson only spoke to one of the men who seemed a bit shaken up and seemed genuinely concerned about the driving of the vehicle. The man told Senior Constable Mathewson that there was a blue Mazda speeding through the BP Service Station, which was hitting things, going back and forth from the service station to the Cavanbah Centre and was last seen heading west on the wrong side of the road, around the roundabout, back towards the Cavanbah Centre.

31 The evidence establishes that Narayan hit flexible bollards and had driven on the wrong side of the road. However, there is no evidence that Narayan sped through the service station, although, Senior Constable Mathewson said that this was conveyed to him. Senior Constable Mathewson gave evidence that the information he received at the service station, combined with what he had been told by police earlier, caused him to have great concern. Mr Kounnas accepted in submissions that police were under a duty to investigate and intervene in

receiving the initial police complaint. However, he was critical of the lack of consideration given to the source of the complaint and whether anything else could have been done to substantiate the risk posed by the driver of the vehicle. Senior Constable Mathewson gave evidence that he had no reason to doubt the account he was given at the service station and did not get any sense that the men might have an ulterior motive. He said that rather than investigate further, he thought it more appropriate to respond immediately to try and locate the vehicle to prevent the manner of driving continuing and potential injury to other people on the road.

32 It is convenient to deal with the complaint that police should have investigated further and the aligned submission as to the deficiency in note taking by the police.

33 Mr Kounnas raised the issue as to the way the information was transmitted to police, namely the manner by which the police were first advised, which he described as, "Through friendship circles". Mr Kounnas asked why, in those circumstances, either better records weren't kept or alternatively, why there wasn't some measure of double checking the information received, and further queried whether the receipt of information through less than orthodox means should have resulted in greater scrutiny of that information.

34 That issue, it was submitted, was fairly critical to the means by which police responded and their continuation of that response. On behalf of Narayan's sisters, it was conveyed through the assisting team that they (the sisters) were also concerned about the lack of record keeping when the complaints were made to police and the lack of substantiation of the allegations that were made when police went to the service station. There is no suggestion in the evidence that the method of reporting was anything other than a well-intentioned attempt to facilitate the information being provided to and acted upon by the police in a quicker fashion than may have occurred if the report was made through what might be described as the normal channels.

35 The concerns raised by and on behalf of the family members arise because Senior Constable Mathewson was told the vehicle was possibly hitting parked car, when, in fact, there was no evidence that was the case, and was further advised the vehicle had been speeding through the BP Service Station, which was inaccurate. Senior Constable Mathewson indicated that there was no indication as to the speed at which the vehicle was driving through the BP Service

Station beyond the comment of speeding. He, himself, commented in oral evidence that as it was a place likely to have pedestrians, it was necessary to drive slowly.

36 The submissions of the family raised two separate issues. The information as to the parked cars possibly being hit came from other officers. This is connected to the note taking issue, whereas the information about speeding through the BP Service Station came directly to Senior Constable Mathewson from someone he spoke with at or near the service station.

37 Whilst it is understandable that Narayan's family members had initial concerns as to the manner in which the driving was reported and the apparent lack of record keeping by police, in my view, neither matter was of significance in the decision to investigate the driving that had been reported to police and the ultimate decision to commence a pursuit. In relation to the record keeping, Mr Lowe, on behalf of the Commissioner of Police, made the point that in circumstances where those police who might have made written records were not required for cross-examination, the matter was not, to use his terms, fully explored. I accept that proposition, whilst noting that it is always preferable that police make notes of information provided to them in their work. On the face of it, this should have occurred in this case. Having said that, the fact is that even with notetaking, messages can change in that a verbal report may not necessarily be faithfully transcribed just as it may not be faithfully relayed. In my view, Senior Constable Mathewson was entitled to act on what he had been told and to do so quickly. He was entitled to do so without further checking. At that point in time, whether or not notes had been made in relation to what had been reported was not a relevant consideration for Senior Constable Mathewson.

38 In coming to that conclusion, it is to be noted that the wrong information consisted of the assertion that the vehicle had possibly hit parked cars. It was not an assertion that cars had definitively been hit. The second wrong assertion that the vehicle sped through the service station was, on the evidence, unquestionably incorrect. As Senior Constable Mathewson pointed out, no speed was indicated to him. Additionally, it is trite to observe, as Senior Constable Mathewson did, that a service station is an area in which it is necessary to drive slowly. An indication of speed in that context is a very subjective assessment. In my view, it was appropriate for the Senior Constable to set off in an effort to locate the vehicle and to do so quickly and, at that stage, rely upon the information provided to him.

39 The Senior Constable had been shown a photo on a phone revealing the number plate of the vehicle about which the complaints had been made. After the Senior Constable set off, he came across the vehicle and followed it onto the M1, confirmed the registration of that vehicle to be the same as that he had been shown on the phone. Senior Constable Mathewson then activated his lights and sirens and pulled in behind the Mazda to direct it to stop, whereupon it slowed down to approximately 60 kilometres per hour and indicated left as if it was pulling over. However, the car then suddenly sped up and took off. It seemed to Senior Constable Mathewson that the driver was attempting to evade police, and he commenced a pursuit. He was of the view that the manner of driving reported to him was a danger to the public and needed immediate intervention. He proposed to stop the vehicle and determine why the driver had been driving in the dangerous manner that had been reported to him. He averted to the possibility that the manner of driving was drug related, alcohol related or mental health related or due to the vehicle having been stolen.

40 Paragraph 7.2.1 of the New South Wales Police Force Safe Driving Policy states that the decision to initiate a pursuit requires weighing the need to immediately apprehend the offender against the degree of risk to the community and police as a result of the pursuit. Senior Constable Mathewson said he turned his mind to these considerations prior to commencing the pursuit. As I have outlined, he considered there was a need to immediately apprehend the driver because, based on the information he had, he thought there was a danger and risk to the public, in particular, if the driver should return to a built up area. In initiating the pursuit, he did not regard there to be a risk to police or the driver at that time.

41 I have already indicated why I find that it was appropriate for the Senior Constable to head off quickly from the service station to locate the vehicle about which the reports had been made. The subsequent action of the driver in not pulling over when Senior Constable Mathewson activated his lights and sirens justified Senior Constable Mathewson then initiating a pursuit. Whilst Senior Constable Mathewson's actions were based upon his knowledge at the time, I am fortified in my view that it was reasonable and appropriate to commence the pursuit by the fact that the correct information as to how the vehicle had been driven grounded a reasonable and appropriate basis to commence a pursuit once the vehicle did not pull over.

Issues 2 and 3

42 It is convenient to deal with issues 2 and 3 together.

Issue 2 - Whether it was reasonable and appropriate for NSW Police to have continued the pursuit of Mr Rodwell, including having regard to the fact that Mr Rodwell's driving during the course of the pursuit was described as normal or fine.

Issue 3 - Whether the deployment of a tyre deflation device (TDD) by NSW Police was reasonable and appropriate.

43 Once the pursuit commenced, Senior Constable Mathewson followed Narayan along the M1 before Narayan left the M1 and headed east back into Byron Bay, having conducted effectively a U-turn. After a short period of, again, driving towards Byron Bay, Narayan, again, turned to the other direction and commenced heading west back towards the M1. Narayan then stopped briefly at a roundabout outside Byron Central Hospital behind a stationary car. Narayan then drove around a small concrete barrier onto the incorrect side of the road before returning to the correct side of the road and heading west.

44 During that period of driving, Narayan was, at times, driving 70 kilometres per hour in a 50 kilometre an hour zone. Senior Constable Mathewson considered Narayan had driven around the barrier so that he did not have to stop, consistent with what had occurred when Senior Constable Mathewson had sought to cause the car to pull over. Narayan was, in Senior Constable Mathewson's assessment, seeking to avoid engaging with the Senior Constable. Furthermore, on seeing Narayan's driving and preparedness to go onto the wrong side of the road and travel at 20 kilometres above the speed limit in the presence of a police vehicle and, indeed, being pursued by a police vehicle caused the Senior Constable to be further concerned as to how the vehicle might be driven if it, again, returned to a built up area, and what that driving might mean in terms of presenting a risk to members of the public.

45 The pursuit continued as Narayan returned to the M1 heading north. The full pursuit from when first initiated lasted for approximately 26 minutes. The time on the highway on the second occasion was approximately 13 minutes. As earlier referred to, a tyre deflation device was ultimately activated.

46 There are some relevant facts to set out in relation to the pursuit. I have already referred to the length of time. Secondly, the M1 was a straight and safe road. I have already referred to

the reference set out in the issues list that the driving of Narayan on the highway was described as normal or fine. This was the case, albeit that on occasions, the vehicle was driven 20 kilometres above the 100 kilometres an hour speed limit. Senior Constable Mathewson remained in control of the pursuing vehicle. Further back from Senior Constable Mathewson, police vehicles included a vehicle which Acting Inspector Neeves travelled in as he was monitoring the pursuit.

47 At no stage during the pursuit did either Senior Constable Mathewson or Acting Inspector Neeves know who the driver was. Police records, reflected in a broadcast over the radio, indicated who the registered owner of the vehicle was, but Narayan, the registered owner, was not known to either Senior Constable Mathewson nor Acting Inspector Neeves, and they were unable to confirm, for example, by comparing the face of the driver to a photo, who the driver was. Nothing of that nature occurred.

48 Multiple submissions were made by Mr Kounnas and issues were raised with the assistance of the assisting team on behalf of Narayan's sisters against both the continuation of the pursuit and the deployment of the tyre deflation device. The submissions included the contentions that Narayan's death was easily avoidable, there were multiple irrational decisions made by police, there were multiple opportunities to call off the pursuit, and the police decisions were, at times, disingenuous. More specifically, in relation to risk, the submissions included that the risk did not justify the continuation of the pursuit or the deployment of the TDD, and the decisions of police involved too much speculation.

49 As previously set out, police had a responsibility to weigh the need to immediately apprehend the offender against the degree of risk to the community and police as a result of the pursuit.

50 Looking simply at the degree of risk to the community and police as a result of the pursuit, the factors recently referred to, including the nature of the road surface on the highway and the fact that police stopped any vehicles travelling behind Senior Constable Mathewson from moving forward, meant that there was little danger or risk to the community and police in Senior Constable Mathewson continuing to pursue the vehicle driven by Narayan on the highway heading north.

51 It was the clear and consistent evidence of police that their concern, and thus their need to speak to Narayan, arose from the risk of the driver leaving the M1, travelling into a built-up area, and putting members of the public at risk.

52 I am satisfied on the evidence that Senior Constable Mathewson and Acting Inspector Neeves conducted the weighing process throughout the pursuit. That is, they each, individually, weighed the need to detain the driver against the risk of continuing the pursuit.

53 The developed submissions about risk included the contention that the relatively lengthy period of safe driving on the M1 meant that the police ongoing concern as to the risk if the driver was to enter a built-up area was disingenuous and/or too speculative.

54 Labelling something as too speculative invites the comment that assessments of risk necessarily involve consideration of what might happen in the future. By definition, that is speculation. Minds are likely to differ about degrees of speculation. I am unable to accept that the ongoing concern of the police was disingenuous or that it was too speculative. What was relevantly in the awareness of police throughout the pursuit included: in the absence of any police presence, Narayan had driven in the dangerous manner which led a civilian to contact police and relay the information that, as at that time, had been relayed to police. Secondly, that driving had taken place in a built up area. Thirdly, the only time Narayan had left the M1, once police were following him, he drove back into a built up area. Next, whilst in that built up area, Narayan drove onto the wrong side of the road and on occasion, travelled at 20 kilometres in excess of a 50 kilometre speed limit. Next, Narayan had failed to stop when police sought to cause him to do so. In all those circumstances, the police concern as to the risk to the public should Narayan return to a built up area was far from too speculative. It was, in my view, reasonable. Police were concerned to understand, so far as they could, what might have been causing the driver of the vehicle to drive in the manner in which he had reportedly driven. The only way to do that was to talk to the driver.

55 Both Senior Constable Mathewson and Acting Inspector Neeves set out the possibilities as to why the driver was driving as he was. These included a mental health episode, affectation by drugs, or the vehicle having been stolen. Acting Inspector Neeves also suggested the driver perhaps being a disqualified driver. All these are possible reasons as to why a driver might either drive in the manner described to police or seek to avoid speaking with police. Those factors were relevant throughout the period of the pursuit.

56 In separate submissions, based upon the nature of the driving on the highway, it was submitted that the nature of that driving made it more likely the vehicle was not stolen as there was no attempt to speed off, and as such, police should have discontinued the pursuit and then spoken with the owner when they could be located, understanding that owners have a legal responsibility to know who is in control of their car at all times.

57 This submission, in my view, ignores the fact that the driver had shown a clear intention to avoid stopping and talking to police. That, in my view, was an indicator that the vehicle could possibly have been stolen. Additionally, the submission that police could have let the vehicle drive off and speak to the owner later, fails to come to grips with the reasonably held concern of police to stop the driver returning to a built up area.

58 I am satisfied it was reasonable and appropriate to want to stop the driver traveling again into a built up area and it was reasonable to continue to pursue the vehicle rather than to call off the pursuit and seek to speak to the owner at some later time.

59 In relation to deploying the TDD, it was submitted that it did not need to be used, given the driving on the highway was relatively normal. Given my finding that it was reasonable for police to remain concerned with minimising the risk of the driver returning to a built-up area, I am unable to accept that the relatively normal driving on the highway was a determinative factor against deploying the TDD.

60 Further submissions in relation to the TDD related to where and when it was deployed, and the circumstances surrounding its deployment. It was submitted that there was no no urgent need to deploy the TDD. It was submitted the action was premature. By the time the TDD was deployed, the pursuit had continued on the highway for approximately 13 minutes.

61 As Narayan drove north, exits presented the possibility of the vehicle being driven into built-up areas. Police coordinated the use of the TDD at a place which allowed time for the available TDD to be taken to that location. It was submitted that the decision as to where to deploy the TDD was made as a matter of convenience rather than giving sufficient thought to:

i. what was happening on the other side of the highway regarding traffic heading south;

ii. blocking off south travelling vehicles and closing southbound entrances south of where those vehicles were blocked off;

iii. the likelihood the driver would run out of the vehicle and do something, as the submission was put, "silly";

iv. the height of the barrier between the south travelling and north travelling vehicles.

62 The evidence and submissions in answer to those suggestions pointed to police not having resources to block off south travelling traffic. Secondly, in relation to that same issue, there was no definable place to block off vehicles, if that could have been done, given that vehicles with tyres deflated by a TDD had been known to continue to drive or be driven for as far as 60 kilometres.

63 In relation to the being mindful of the likelihood the driver would run out of the vehicle and do something "silly", the difficulty with this submission is that separately, the submission was made that the driving had been so normal for a relevantly lengthy period of time that the pursuit should have been called off as it was unlikely anything adverse by way of driving would be done, or the view that the risk to the public remained was disingenuous, or the risk of that happening was too remote. In my view, the risk of what ultimately happened occurring could justifiably be considered a remote risk in terms of assessment at the time of deployment of the TDD.

64 In relation to the height of the barrier between south travelling and north travelling vehicles., the evidence was that the barriers employed along the highway were of standard size.

65 I find the determination of the point where the police could deploy the TDD was a sensible, practical approach to how to end the pursuit without the vehicle being driven into a built-up area.

66 It was further submitted that Acting Inspector Neeves should not have operated from the in-vehicle mobile command post which he occupied, but rather he should have returned to a static command post at a police station to better manage the pursuit. I accept the Acting Inspector's evidence that he could task resources appropriately from his mobile command position whilst closely following the course of the pursuit with a firsthand view and understanding of what was occurring.

67 The various submissions on behalf of the family as to why the pursuit should have ended, the TDD not be deployed, and, indeed, the submissions overall in relation to police actions on the

day are all based understandably in hindsight, a hindsight analysis of what happened with an equally understandable deeply rooted desire that somehow, this terrible tragedy could have been avoided. Police, however, did not have the benefit of hindsight. They had to make an ongoing, real time assessment of risk based on a combination of what they accepted, what they witnessed, and what they thought might possibly be impacting on the driver's decision making in terms of drug affectation or mental health issues.

68 Whilst the assessment of what may happen always involves a degree of speculation, the information about Narayan's observed driving was largely known, whereas what may be impacting on the driving was, at the time police had to make their decisions, unknown, but possibilities were considered. In all the circumstances, the decision to continue the pursuit, and the decision to deploy the TDD were each reasonable and appropriate.

69 A result of grounding the submissions or basing them on a perfectly understandable hindsight approach was, at times, the submissions appeared to be converse. For example, one submission, as I have articulated, was to stop the pursuit and seek to talk to the owner at a later time. Conversely, there was the submission to take a wait and see approach and continue the pursuit for a longer period rather than deploy the TDD. Similarly, one submission was that the manner of driving on the highway should have led police to permit the driver to drive off; that is, to end the pursuit. Conversely, it was submitted that thinking the driver was possibly affected by drugs or having a mental health episode, police should have realised the driver may do "something silly", such as he tragically did.

70 The submissions all individually have a level of attraction, but ultimately, I have had to assess the police approach, understanding the police did not have the benefit of hindsight. In my view, it was reasonable for the police to want to stop the driver and assess, as best they could, what had caused him to drive in the dangerous manner he had driven. It was clear the driver was not prepared to stop of his own volition, and as such, as it was reasonable for the police to retain their concern as to the danger to the public, should the driver return to a built-up area. My rulings related to whether what was done was reasonable and appropriate. Other courses may have been open, but in my assessment, those taken by police were both, as established on the evidence, within procedure and reasonable and appropriate.

Issue 5 - Whether it is necessary or desirable to make any recommendations arising out of the circumstances of Mr Rodwell's death

71 There were no submissions and no suggestions from any party that recommendations should be made.

72 I come then to the formal findings.

Findings pursuant to section 81 *Coroners Act* 2009

Identity The person who died was Narayan Rodwell

Date of death Narayan died on 29 September 2022

Place of death Narayan died on the M1 Highway near Clothiers Creek NSW.

Cause of death Narayan died from multiple injuries.

Manner of death Narayan died following collision with a vehicle whilst crossing the M1 Highway after a police pursuit

Conclusion

73 As counsel assisting set out in closing submissions, it is clear how deeply loved Narayan was, as is clear the ongoing pain and grief his death has caused his family. In touching family statements at the end of the Byron Bay part of the hearing, all present in court heard of Narayan's successes and talents, as well as the deep bond and love he shared with siblings, his high intelligence, and his talent as a sportsman. He was a person who strived for a peaceful and simple life filled with love and good food, the gym, nature and connections with others. He sought higher understanding. He explored that through reading, meditating and practicing yoga. He was quick and clever, charismatic, cheeky, generous, a talented athlete and academic, a person deeply connected to animals, spirituality and nature, and a person with a soft heart.

74 Life is rarely simple and straightforward. Life brings challenges and complexities, and Narayan faced many in his far too short life. He faced the scourge of addiction and mental health issues. His true essence, as reflected in extracts from the family statements set out above, will always be remembered by his family and friends.

75 On behalf of the Coroners Court of New South Wales, I offer my sincere and respectful condolences to the family, extended family, friends, and associates of Narayan.

76 As I referred to above, Narayan's siblings were well engaged with the inquest and I am very grateful to them for that.

77 I also thank the officers in charge of the coronial investigation, Detective Sergeant Rachel Jolley and Superintendent Grant Erickson for their efforts in the process of the investigation and work in compiling the initial police brief of evidence.

78 I acknowledge and express my gratitude to the assisting team, Ms Caldwell of counsel and Ms Shepherd of the Crown Solicitor's Office for their invaluable assistance both before and during the inquest.

79 In addition, I thank the legal representatives for each of the interested parties for their assistance provided throughout the coronial proceedings.

80 I close this inquest.

Judge David O'Neil

Deputy State Coroner

Coroner's Court of New South Wales

30 June 2026