

IN THE CORONERS' COURT OF THE NORTHERN TERRITORY

Rel No: A0003/2024

Police No: 24 2198

**CORONERS FINDINGS**

**ROAD DEATH 1 OF 2024**

*Section 34 of the Coroners Act 1993*

I, Elisabeth Armitage, Coroner, having investigated the death of **a 40 year old Aboriginal man** and without holding an inquest, find that he was born on **27 June 1983** and that his **death occurred on 5 January 2024, at Undoolya Road, Alice Springs in the Northern Territory.**

**Introduction:**

These findings concern the first road death of 2024. 2024 was a particularly lethal year on Territory Roads. 60 people died on our roads in 2024, the highest road toll in over a decade and by far the highest death rate in Australia.

In response to this devastating death toll, the Coroner's Office undertook to publish findings as to the circumstances of each death, to raise awareness of the kinds of factors that contribute to road deaths, with the ultimate objective of saving lives and reducing the death toll in the future.

These findings concern the death of a 40 year old intoxicated Aboriginal pedestrian who was struck by a speeding, unregistered and uninsured dirt bike driven by an intoxicated and unlicensed 26 year old Aboriginal male.

Pedestrians are vulnerable road users and pedestrian fatalities represent around 19% of lives lost on Territory roads. Pedestrian fatalities are most prevalent between 6pm and 6am. Since 2019, 97% of pedestrian fatalities were under the influence of alcohol.

The intoxication of the pedestrian may have impaired his ability to detect and respond to the dangerous driver.

The Fatal 5 factors which are considered to give the greatest risk of road crash deaths or serious injury are:

- Drink/drug driving
- Failure to wear a seatbelt
- Excessive speed
- Distraction (e.g. mobile phone use)
- Fatigue.

This death involved 2 of the Fatal 5, speed and alcohol/drug driving.

This crash and loss of life is devastating for the deceased's family and community. It also profoundly altered the life of the intoxicated driver who suffered severe, life-altering injuries

from the crash including loss of the use of his left arm, chronic neuropathic pain, traumatic brain injury, and depression.

**Cause of death:**

- |      |   |   |
|------|---|---|
| 1(a) | Disease or condition leading directly to death:   | <b>Cranio-cervical distraction injury in the context of multiple other blunt force injuries</b> |
| 1(b) | Morbid conditions giving rise to the above cause: | <b>Pedestrian struck by a motorcycle</b>  |
| 1(c) |   | <b>Acute Alcohol intoxication, Cannabis consumption</b>   |

Following an autopsy on 10 January 2024, Forensic Pathologist, Dr Marianne Tiemensma commented:

- Post-mortem CT scan showed:
  - No intracranial haemorrhage and no skull fractures.
  - Fracture-dislocation of the right temporomandibular joint.
  - Fracture of the left mandible.
  - Cranio-cervical distraction injury with dislocation of C1-C2, anterior shift of the atlas, and protrusion of the odontoid process through the edge of the foramen magnum.
  - Large bilateral haemopneumothoraces.
  - Bilateral traumatic pneumatoceles.
  - Small amount of blood in the peritoneal cavity around the liver.
  - Distraction of the left sacro-iliac joint and fractures of the lateral processes of the lumbar vertebrae.
  - Pelvic fractures (left superior and inferior pubic rami.
  - Left femur neck fracture.
  - Comminuted fracture of the mid-shaft of the left femur.
  - Undisplaced proximal fracture of the left fibula.
  - Fracture through the lateral epicondyle of the distal left humerus.
- Samples were collected for toxicological analysis.

Results: Forensic Science Case Number: 2400299

Preserved femoral blood Alcohol **0.14 %**

Vitreous fluid Alcohol 0.13 %

Preserved femoral blood delta-9-tetrahydrocannabinol **15 µg/L**

Preserved femoral blood 11-nor-9-carboxy-delta-9-tetrahydrocannabinol detected

No other drugs listed in the Scope of Analysis were detected in the preserved femoral blood.

**Background:**

The 40 year old pedestrian was born at Alice Springs and raised on an outstation. He had five siblings, a wife and a son. He was considered a good worker, a partner, father and cultural mentor. He is deeply mourned by his family and community.

**Circumstances:**

During the afternoon of Friday 5 January 2024, the deceased was consuming alcohol, beer and spirits, and cannabis while socialising with family and friends at various locations around Alice Springs.

Later that evening he was a pedestrian on Undoolya road near the intersection with Spearwood Road, when he was struck and killed by a dirt bike.

A 26 year old Aboriginal man was charged with driving a motor vehicle causing death, driving while unlicensed and driving an unregistered and uninsured motor vehicle. He pleaded guilty and was sentenced by His Honour Chief Justice Grant on 29 August 2025 to 4 years imprisonment suspended on supervision conditions (SCC 22416354). The facts and circumstances of the incident as determined during sentencing proceedings are as follows:

You [the driver] were 26 years old at the time of the offending. The victim was a 40-year-old Indigenous man from an outstation near Harts Range. He was unknown to you.

On the afternoon of 5 January 2024, you consumed a large amount of alcohol and you became intoxicated. Just after 7:30 pm, which was after sunset on that day, you rode your unregistered motorcycle along various streets and dirt tracks in Alice Springs. You waved at two walkers on one of those tracks and almost fell off before riding off at speed. One of those walkers described you as “riding recklessly”. That is unsurprising, given your state of intoxication at the time.

A short time later, you came across another two walkers on that dirt track. They were forced to hide behind a street pole to avoid being hit by you. You stopped and said “sorry” repeatedly and that you had not seen them. You then continued riding in the same fast and reckless manner.

You then made your way onto a residential street with a speed limit of 50 kilometres per hour, where you were seen riding by another two walkers at a speed estimated to be somewhere between 80 and 100 kilometres per hour. You then drove off that residential street around a number of other dirt tracks.

You subsequently made your way onto Undoolya Road, still driving at speed. You came up behind another vehicle and overtook it at speed, riding close to the centre line. You were described by a witness as going “very fast at that time”. The CCTV footage of your riding which I have received into evidence demonstrates just how reckless and dangerous your conduct at that time was.

Just as you passed that other vehicle, you struck the victim who was crossing the road at the time. The force of the impact caused both you and the victim to be thrown about 25 to 30 metres. As a result of the impact, the victim suffered fatal injuries and he was declared dead at the scene. You also suffered serious injuries and you were found by police at the scene.

An analysis by crash investigators estimated your speed immediately prior to the collision to be somewhere between 116 and 124 kilometres per hour. The speed limit on Undoolya Road is 70 kilometres per hour.

As the summary charge indicate, you were riding unregistered, uninsured and unlicensed. As I will go on to describe in greater detail shortly, you were also riding drunk and intoxicated by cannabis. The motorcycle was also in an unroadworthy condition. Amongst other things, it had no lights, no speedometer, no mirrors and a defective front tyre.

You were taken to the Alice Springs Hospital where an analysis of your blood showed a blood alcohol content of 0.121 percent and a THC content of 7.3micrograms per litre. An analysis of the victims blood also detected a blood alcohol content of 0.14 percent and a THC content of 15 micrograms per litre.

As a result of the collision, you suffered fractured ribs, a collapsed lung, four fractures to your cervical spine, nerve damage to your left arm, a fractured collarbone and a fractured right arm. You were hospitalised for 19 days after the collision before being discharged. Of course, the victim was not so fortunate.

You were ultimately arrested by police on 13 May 2021 and bailed on that same day.

This offending has had a very serious impact on the family of the deceased. I have received a victim impact statement from his brothers which speaks of the family's loss and sadness. The deceased was responsible for the care of their mother on community and she also mourns his loss deeply. By reason of your conduct, the deceased's son is also now an orphan.

I have also received a victim impact statement from the deceased's uncle. He was living at the outstation with the deceased before the deceased travelled into Alice Springs for a short time. He says that the deceased had spent his whole life at the outstation and was very happy there. The deceased went to Harts Range school and apparently enjoyed that experience. He also enjoyed participating in traditional activities like hunting and ceremony and, of course, Australian Rules Football. As an adult, the deceased was a cultural mentor to younger men in the community and he played an important and an appreciated role looking after older family members. His brothers and sisters miss him deeply.

The crash was reported to emergency services at 7.48pm by a witness to the crash. Emergency services including St John Ambulance arrived at 7.56pm.

Despite the best efforts afforded to the deceased by all at the scene, he remained unresponsive and was pronounced deceased at 8.26pm.

Major Crash Investigators, using CCTV with point to point calculations at the scene, determined the speed of the bike to be 116-124 km/h. The gazetted speed limit on Undoolya Road is 70km/h.

The motorcycle was a 2010 SF-X KTM 250cc which is not road registerable. The motorbike was inspected by a Motor Vehicle Registry Transport Inspector and found to be in an unroadworthy condition. This machine was without appropriate safety features and accessories for on-road use.

### **Opinions as to the cause of the crash:**

The motorcycle driver was highly intoxicated, speeding and driving dangerously when he struck and killed the pedestrian.

The pedestrian was also under the influence of alcohol and cannabis while walking along the road, which may have impaired his ability to respond to the danger posed by the motorcycle driver.

**Decision not to hold an inquest:**

I make no further findings with respect to the circumstances of this death as, under section 16(1) of the *Coroners Act 1993* (“the *Act*”) I decided not to hold an inquest because the investigations into the death disclosed:

- The time, place and cause of death;
- The relevant circumstances concerning the death;
- I do not consider that the holding of an inquest would elicit any information additional to that disclosed in the investigation to date; and
- The circumstances do not require a mandatory inquest because:
  - The deceased was not, immediately before death, a person held in care or custody; and
  - The death was not caused or contributed to by injuries sustained while the deceased was held in custody; and
  - The identity of the deceased is known.