

IN THE CORONERS' COURT OF THE NORTHERN TERRITORY

Rel No: D0146/2024

Police No: 24 56591

**CORONERS' FINDINGS**  
**ROAD DEATH 26 OF 2024**

*Section 34 of the Coroners Act 1993*

I, Elisabeth Armitage, Coroner, having investigated the death of a **20 year old Caucasian male** and without holding an inquest, find that he was born on **19 April 2004** and that his **death occurred on 8 June 2024, at Arnhem Highway, Lambells Lagoon in the Northern Territory.**

**Introduction:**

This young man's tragic death was the 26<sup>th</sup> death on Territory Roads in 2024.

This young, sober, well-rested man was driving to work in the early morning. He was not speeding, and he was driving appropriately. Another driver who was heavily intoxicated with MDMA and alcohol, crossed into the young man's lane and collided with the young man's car. The intoxicated driver was charged with and convicted of dangerous driving causing death.

**Cause of death:**

- |      |   |  |
|------|---|--|
| 1(a) | Disease or condition leading directly to death:   | <b>Multiple blunt force injuries</b>         |
| 1(b) | Morbid conditions giving rise to the above cause: | <b>Reported motor vehicle crash (Driver)</b> |

Following an autopsy on 11 June 2024, Forensic Pathologist, Dr Salona Roopan commented:

- Post-mortem CT scan revealed the following:
  - Traumatic subarachnoid haemorrhage, intraventricular haemorrhage and pneumocephalus.
  - Fractures of the left petrous temporal bone and through clivus producing a hinged fracture.
  - Fracture of the right angle of the mandible.
  - Bilateral haemothoraces with left pneumothorax, traumatic

pneumatoceles of the right lung, rupture of right hemi-diaphragm with herniation of abdominal organs into right side of the chest and associated mediastinal shift to the left.

- o Blood around the liver and around the right kidney.
- o Widening of the pubic symphysis, disrupted left sacro-iliac joint and comminuted fracture of the right pelvic wing extending into acetabulum.
- o Penetrating injury to the left knee with avulsion fracture from the medial femoral condyle.
- o Fracture through the mid-shaft of the right humerus.
- Toxicological analysis on preserved femoral blood did not detect alcohol or any other drugs listed on the laboratory's attached scope of analysis.
- I have no reason to believe with the information available and findings made during external and radiological examination of the body that the death was due to any other course than the injuries sustained during the **motor vehicle collision as a driver**.

### **Background:**

The young man was known for his infectious smile, laugh, and laid-back attitude. He was loving, sensitive, kind, compassionate, honest, funny, intelligent, thoughtful and quirky. He had a passion for the outdoors, particularly fishing. He was employed and living with his girlfriend.

His family knew him to be a remarkable person with a vibrant spirit and a deep connection to nature and his loved ones. His death is a tragedy for his family, friends and the broader community. He is mourned and deeply missed.

### **Circumstances:**

The young man (the deceased) was killed in a car crash on his way to work on Saturday, 8 June 2024. The person driving the second vehicle (the offender) was arrested and charged with driving dangerously causing the death of the young man. The offender was sentenced in the Supreme Court of the Northern Territory to 4 years and 6 months imprisonment suspended after two years on supervision conditions. The sentencing remarks of His Honour Justice Southwood included the following statement of circumstances (redacted for anonymity):

The facts of the offending are as follows.

The victim in this matter is the deceased. At the time of the offending, he was 20 years old.

On the evening of 7 June 2024, the deceased was at home spending time with his partner. He was employed and had to start work at 6:30 am on 8 June 2024. He did not consume any alcohol during the evening of 7 June 2024 and was in bed by 8 pm.

During an unknown period of time before 6 am on Saturday 8 June 2024, the offender consumed an unknown quantity of alcohol, MDMA - which is a dangerous drug - and cocaine, which is also a dangerous drug. At the time of the collision, he was intoxicated by alcohol and drugs to such an extent that he was incapable of having proper control of his motor vehicle, rendering his manner of driving dangerous.

At about 6 am on 8 June 2024, the offender was driving his motor vehicle, being a grey Mazda BT50 utility, on the Arnhem Highway towards Humpty Doo. At the same time, the deceased was driving his white Nissan Navara from Humpty Doo in the direction of [his work place].

Following about 500 to 700 metres behind the deceased was his friend who was also employed. He was driving at about 100 kilometres an hour.

At the time, the sun was not yet up, and it was dark. The deceased had his headlights on.

At the 21.5 kilometre mark from the Stuart Highway intersection, the offender and the deceased were driving on a large, sweeping bend. The deceased was driving on the outside of the bend, and the offender was driving on the inside of the bend.

In the five seconds prior to the collision, the offender's vehicle was maintaining a constant speed of 97 kilometres per hour. The accelerator was not being engaged as the offender was using cruise control to maintain his speed.

As the deceased was driving on the outside of the bend in the road, the offender continued to drive in a straight line, passing over the median strip and colliding with the front right side of the deceased's vehicle.

Data collected from the offender's vehicle confirmed that the offender did not apply his brakes before the collision.

The collision caused the deceased's vehicle to be shunted off the road at close to a 90-degree angle, causing the vehicle to roll over at least once, and strike an electricity pole before coming to rest. The deceased's vehicle was extensively damaged, and the deceased suffered injuries which were incompatible with life.

The offender's vehicle suffered extensive front-end damage which caused it to return to the correct lane of travel and rotate almost 180 degrees before coming to rest. The offender was able to extricate himself from his vehicle, but he suffered injuries to his left leg.

Members of the public who arrived at the scene provided assistance to the offender and attempted to provide assistance to the deceased. Police and Emergency Services were called to the scene. Ambulance officers assessed the deceased and declared the injuries were incompatible with life. The deceased was declared dead at 6:35 am.

The collision resulted in extensive damage to the deceased's vehicle. The frame of the vehicle at the driver's door was crushed, pinning the deceased to the dashboard of

the vehicle. The driver's door was opened by the force of the collision and resultant rolling of the vehicle.

A Detective Sergeant inspected the offender's vehicle and located an open half full bottle of Great Northern beer on the front passenger seat.

Members of the Northern Territory Fire and Rescue service used heavy equipment to remove the roof of the deceased's vehicle and extricate his body.

Two blood samples were taken from the offender and sent to Brisbane for analysis. The samples returned the following results.

- a. Alcohol 116 mg/100 mL
- b. MDMA 0.56mg/L
- c. MDA 0.01 mg/L
- d. Benzoylecgonine 0.23 mg/L
- e. Methylecgonine less than 0.01 mg/L
- f. Cocaethylene less than 0.01 mg/L

Emeritus Professor SW prepared a report on the likely level of drugs and alcohol in the offender's system at the time of the collision.

The Professor provided a range of blood alcohol concentration of 0.142 % to 0.167 %. In his opinion, the true level was more likely to be 0.154 %. The Professor stated that alcohol at a level of 0.154 % would be expected to cause an impairment of visual function, reduced clarity of vision, impaired depth perception and impaired ability to detect objects or events in the periphery of vision and reduced attention to the road and driving.

He estimated that at the time of the collision the concentration of MDMA was 0.68 milligrams per litre. He explained that the concentration of MDMA was considerably higher than the level more commonly achieved by MDMA users and well in excess of the maximum concentration expected from an average 100 milligram dose. Professor SW was of the opinion that the offender would have been experiencing the effects of MDMA at the time of the collision. He explained that MDMA can induce a number of different effects including an increase in risk-taking and impulsive behaviour. In terms of the effects on driving, he explained that MDMA can induce perceptual change including blurred vision and visual hallucinations. MDMA can also affect a person's ability to maintain concentration and maintain attention to multiple objects and events in the persons environment.

The Professor explained that at low doses, MDMA has the potential to improve some aspects of cognitive performance when a person is fatigued. However, at high concentrations people may experience pronounced cognitive effects such as thought disorder.

Professor SW also stated that cocaine was detected in very low levels in the offender's system.

Professor SW ultimately opined that the offender would have experienced pronounced effects of alcohol and MDMA. The concentration of alcohol would likely have

impaired his vision, attention to the road and decision-making. The concentration of alcohol alone put the offender at very high-risk of being involved in an accident. The effect of MDMA likely included impaired judgment, decision-making and an increased risk of impulsive or risky behaviour. He was also of the opinion that the offender likely had not slept in the hours prior to the collision as a result of drug use and may have been experiencing sleep deprivation.

Counsel for the offender stated that the offender admitted the truth and accuracy of the facts to which I have referred. I find the facts proven and I convict the offender of the count on the indictment.

The death of the deceased has caused great distress and hurt to the members of his family and his friends. His mother told the court on the last occasion the matter was before the Court, of the extent that his death had affected her and her family.

The offender was also injured in the crash. He was treated with synthetic opiates and Fentanyl at the scene. He sustained a complex fracture of his right hip and a fractured right femur. He had emergency surgery to repair his hip at Royal Adelaide Hospital. The surgery involved the insertion of ten screws and multiple metal plates. He was assisted by crutches for approximately three months before learning to walk again. He suffered ongoing pain from his injuries.

#### **Vehicles:**

The vehicles involved were a 2006 Nissan Navara (White) Twin Cab driven by the deceased and a 2022 Mazda BT50 XT (Grey)/Twin Cab driven by the offender. Due to the catastrophic nature of the damage suffered by both vehicles no meaningful post-crash inspections were possible.

The Nissan Navara did not contain an Electronic Data Recorder and no further inspection was possible.

The Electronic Data Recorder from the Mazda was successfully extracted and sent to Mazda in Singapore for processing and subsequent reporting. The report shows:

- The vehicle was travelling at a constant 97km/h.
- The engine was operating at an rpm of between 1931 and 1937.
- The accelerator was not being used.
- The brake was not used.

These readings suggest that the vehicles cruise control had been engaged.

#### **Road features and conditions:**

The crash occurred on the Arnhem Highway, Lambells Lagoon, about 21.5km east of the Stuart Highway turnoff. At that location the road was a sealed asphalt surface with 2 lanes. The surface was in good condition and free from defects. The crash occurred on a sweeping left hand bend in the road if you are facing inbound towards Humpty Doo (east to west). The posted speed limit was 100km/h.

At the time of the crash, it was dark and the sunrise had not yet commenced. The weather was clear. There was no street lighting on the roadway.



Selected photograph courtesy Major Crash Investigations

### **Opinion as to the Cause of Crash:**

Based on the toxicology reports, scene evidence, vehicle telemetry and witness statements, the evidence established that the offender had consumed the illicit drug MDMA and been drinking an unknown amount of alcohol prior to and at the time of the crash. As a result of this he was heavily under the influence and unable to safely drive or control his vehicle. The offender engaged the Mazda's cruise control which likely lessened his attention to the road and he drifted into the path of the deceased and caused the fatal crash.

### **Decision not to hold an inquest:**

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 and 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.