

IN THE CORONERS' COURT OF THE NORTHERN TERRITORY

Rel No: D0219/2024

Police No: 24 86526

**CORONERS' FINDINGS**  
**ROAD DEATH 47 OF 2024**

*Section 34 of the Coroners Act 1993*

I, Elisabeth Armitage, Coroner, having investigated the death of a **Caucasian Male** without holding an inquest, find that the deceased was born on **19 October 1997** and that his **death occurred on 1 September 2024, at intersection of Hicks and Watling Roads, Girraween in the Northern Territory.**

**Introduction:**

60 people lost their lives on Territory Roads in 2024. The highest road toll in over a decade and by far the highest in the country. These findings concern the death of a 26 year old Caucasian male, road death number 47.

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

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

This death involved 4 of the Fatal 5. The 26 year old was heavily intoxicated, not wearing a seat belt, driving faster than the recommended limit for his ATV and was using his phone to record his driving, when he fatally crashed.

**Cause of death:**

- |      |   |  |
|------|---|--|
| 1(a) | Disease or condition leading directly to death:   | <b>Blunt force head injuries</b>                 |
| 1(b) | Morbid conditions giving rise to the above cause: | <b>Reported ATV motor vehicle crash (driver)</b> |
| 1(c) |   | <b>Acute alcohol toxicity</b>                    |

**A post-mortem CT scan** was performed and the findings showed:

- o Extensive clavicle fractures with depressed fragments in the left parieto-occipital region.
- o Longitudinal fracture through the left petrous temporal bone extending into the left carotid canal.
- o Minimally displaced fractures involving the right squamous temporal and parietal bones.
- o Small amount of subarachnoid haemorrhage.
- o Quite extensive intracranial gas.
- o Fractured right zygomatic arch and right pterygoid plates.
- o Minimally displaced fracture of the right lateral orbital wall.
- o No cervical spine fracture. Preserved alignment of the cervical spine and no acute spinal fractures.
- o Prominent thoracic kyphosis with changes of Scheuerman's disease.
- o No limb or pelvic fractures.

**Following an autopsy on 2 September 2024**, Forensic Pathologist, Dr Salona Roopan commented:

- The opinion as to the cause of death is based on the available police and medical information, and a post-mortem examination including ancillary investigations.
- I have no reason to believe that the information available and the findings made during external examination of the body that the death was due to any other cause than that sustained from a single motor vehicle collision as a driver.
- Toxicological analysis of preserved femoral blood showed a blood alcohol level of 0.23% detected which generally correlates with a moderate to heavy degree of intoxication but this is also dependent on individual factors. The clinical effects at this level of intoxication may include disorientation, impaired balance and co-ordination.

### **Background:**

The 26 year old moved to Darwin in 2022 and stayed at a property in Girraween with family friends. He worked in construction and enjoyed an outdoors lifestyle of fishing, camping, riding dirt bikes and pig hunting.

His family and friends remember him as a happy go lucky young man who was always the life of the party.

His family are devastated, and he is mourned.

### **Circumstances:**

On the evening of 31 August 2024, the 26 year old drove a Yamaha Viking off-road buggy approximately 18km along back roads from Watling Road to the Noonamah Tavern to attend

the rodeo. He consumed alcohol while at the rodeo, though he was not recorded on CCTV at the Noonamah Tavern.

At approximately 2.00am on 1 September 2024, he left the rodeo and drove the buggy along the same back roads from Noonamah Tavern, on the return route back to his residence in Girraween.

While undertaking this return journey he used his phone to video events. Video footage retrieved from his mobile phone shows that at 2.40am he was driving the buggy along Hicks Road without a helmet or seatbelt fastened. He was captured consuming a can of XXXX Beer. He flipped the phone camera around to show the buggy was travelling at a speed of 69km/h.

Tragically, at 2.40am the sound of the crash is recorded on the phone before the screen goes black.

The crash occurred at the intersection of Hicks and Watling Road, Girraween.

No one located the crash scene until 7.23am when an off duty Fire Service officer came upon it and reported it to 000.

The 26 year old was located lying underneath the buggy on the dirt slip road off Hick's Road. The buggy was tipped onto its right side with the rollbar landing across his upper back and neck and the chassis of the vehicle landing on his pelvis and legs. He was cold to touch, and rigor mortis had set in. No first aid was provided.

He was declared deceased at 7.35am by attending St John Paramedics.

#### **Road Features and Conditions:**

The section of Hicks Road where the crash occurred is a sealed dual lane carriageway with a single lane for traffic travelling in each direction. At the location of the crash, the lanes are divided by broken white lines. The road is lined either side by a dirt verge leading to foliage, trees and property fencing. The posted speed limit is 80kph. At the time of the crash the road surface was dry.

At the time of the crash the road was dark with minimal street lighting.

The weather was clear, and the road was dry.

#### **Scene and Vehicle Inspection:**

The seatbelt on driver's side was buckled underneath where the 26 year old had been sitting. Without a seat belt, the 26 year old was ejected from the vehicle. The seatbelt was still buckled when police attended. No helmet was located at the scene. Multiple beer cans were in and around the vehicle at the crash scene.

The vehicle was a Yamaha Viking 3 seater side by side ATV. The maximum speed the vehicle is safely rated for is 60km/hr.

NT Police Officers conducted basic mechanical testing on the ATV at the Peter McAulay Centre. Checks were made of the steering, braking and lights. No mechanical issues were identified.

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

Based on the scene evidence and the phone video of crash, the Police Investigator concluded:

- The 26 year old had consumed a quantity of alcohol on 31 August and 1 September 2024 and drove the vehicle with a high range blood alcohol reading. This impacted

his ability to safely drive.

- The 26 year old was distracted by using his phone to record videos of himself whilst he was driving.
- The 26 year old drove the vehicle at 69km/hr (as recorded on the phone video), which is higher than 60km/hr, the maximum speed the vehicle is safely rated for. He exited the road to the left at speed along a slipway to cut the corner. As he did so the vehicle has lifted tipping and rolling onto its right side.
- The vehicle is fitted with seatbelts however the 26 year old was not wearing a seatbelt at the time and was ejected during the roll event and suffered fatal injuries.

**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.