

IN THE CORONERS' COURT OF THE NORTHERN TERRITORY

Rel No: D0299/2024

Police No: 24 121625

CORONERS FINDINGS
ROAD DEATH 58 OF 2024

Section 34 of the Coroners Act 1993

I, Elisabeth Armitage, Coroner, having investigated the death of a **28 year old Aboriginal male** and without holding an inquest, find that he was born on **21 April 1996** and that his **death occurred on 30 November 2024, at Port Keats Road, Wadeye in the Northern Territory.**

Introduction:

These findings concern road death 58 of 2024.

The 28 year old Aboriginal male who passed away in this single vehicle roll-over crash was a passenger in a vehicle being driven on a dirt road. The 26 year old Aboriginal male driver was unlicensed and intoxicated. The driver lost control of the vehicle when it hit a muddy patch. The vehicle rolled and the 28 year old passenger was ejected. He passed away from the injuries sustained in the crash.

The deceased is mourned by his family, friends and community.

Cause of death:

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| 1(a) | Disease or condition leading directly to death: | Blunt force head injury |
| 1(b) | Morbid conditions giving rise to the above cause: | Reported motor vehicle crash (passenger) |
| 2 | Other significant conditions contributing to death but not related to the condition causing death: | Acute Alcohol and Cannabis intoxication |

Following an autopsy on 5 December 2024, Forensic Pathologist, Dr Salona Roopan commented:

Comments

- The opinion as to the cause of death is based on the available police and medical information, and a full post-mortem examination including ancillary investigations.
- This was the death of a 28 year old male who was reportedly involved in a motor vehicle collision.

- At autopsy, the external examination showed a small abrasion of the left shoulder posterolaterally, abrasions of the right side of the head and peri-mortem abrasions of the back. Internal examination showed deep scalp bruising of the right parietal region and predominantly base of skull fractures and base of brain haemorrhage.
- Biochemistry analysis showed post-mortem change only. Toxicological analysis showed a blood alcohol level of 0.20% (vitreous alcohol of 0.28%) and presence of cannabinoids and its metabolites.
- The small abrasion of the left shoulder may be restraint-related with the restraint possibly extending from the left to the right hip but this is not definitive. The right-sided head abrasion, deep scalp bruising and base of skull fractures suggest significant impact to the right side of the head which can result from striking the interior of the vehicle. Scene investigation is recommended to assist with determination of seating position of the decedent. There are small abrasions of the back which appear peri-mortem (minimal to no vital reaction) which may have occurred near or after the time of death.
- Severe traumatic brain injury was evident at autopsy with basal subarachnoid haemorrhage and base of skull fractures which would have likely caused immediate or near-immediate loss of consciousness with rapid deterioration.
- The blood alcohol level is in keeping with a moderate to high level of intoxication which, although the clinical effects may differ from person to person and individual factors, the effects may include disorientation and impaired co-ordination.

Background:

This 28 year old Aboriginal male lived in Wadeye with his immediate and extended family. He was married and raising four children. He was described as being a good family man who was always happy and a bit of a joker. He played football with the local St Mary's Wadeye team, enjoyed fishing for barramundi and going camping in the lands around Wadeye. He was a healthy man who had no known medical conditions. He was a user of cannabis, smoked tobacco and would consume alcohol every now and then. The loss of his life has left his family devastated.

Circumstances:

On Saturday 30 November 2024, the 28 year old was the passenger in a vehicle involved in a single vehicle crash. The vehicle tripped and rolled and he was ejected and killed.

The crash occurred approximately 1.3km east of Wadeye on Port Keats Road and was first reported to 000 at 5.42pm.

Cardiopulmonary resuscitation (CPR) was commenced by Northern Territory Police Officers and taken over by nurses from Wadeye Primary Health Care (PHC) Centre. A CareFlight crew consisting of a doctor and nurse also attended the scene. The 28 year old was declared deceased at 6.30pm by the CareFlight doctor.

A 26 year old Aboriginal male was the driver of the vehicle. He was charged with driving unlicensed, driving with a high range blood alcohol content and driving an unregistered and uninsured vehicle. He was sentenced by Judge Geary at the Wadeye Local Court on 24 October 2024 to 12 months imprisonment suspended on supervision conditions.

The circumstances of the crash established during the plea and sentencings are as follows:

The defendant (the 26 year old driver) does not hold a current drivers licence.

On the afternoon of Saturday the 30th of November 2024, the defendant consumed an unknown quantity of alcohol at an unknown location rendering him intoxicated.

The defendant entered the driver's seat of a white Toyota Prado bearing Northern Territory number plates, driving the vehicle westbound on the Port Keats Road towards Wadeye, Northern Territory. The vehicle was unregistered and uninsured at the time.

There were 4 other occupants of the vehicle:

- a. The deceased, 28 years old, seated in the front passenger seat;
- b. A 20 year old male, seated on the rear seat behind the driver;
- c. A 10 year old male, seated in the middle on the rear seat; and
- d. A 23 year old male, seated on the rear seat behind the front passenger.

Some time prior to 5:43pm and approximately 1.5 kilometres (km) east of Wadeye community, the vehicle hit a wet, muddy patch in the middle of the road and veered to the right in a clockwise yaw. The defendant attempted to correct the vehicle's path of travel causing it to enter an anti-clockwise yaw before the vehicle tripped and rolled.

The defendant's brother, the deceased, was ejected from the vehicle and sustained critical injuries resulting in his death.

The 20 year old and 10 year old males left the location and walked to Wadeye to get help.

The 23 year old male was picked up by another driver and was later taken to Wadeye Clinic for treatment.

The defendant left the scene and walked eastbound on Port Keats Road, away from Wadeye.

Emergency Services attended the scene and declared the 28 year old deceased.

A passerby, who was one of the first people on the scene, told Wadeye Police that a person was walking along the road away from the scene.

A Constable conducted patrols on Port Keats Road and apprehended a blue Landcruiser utility being driven by another male, approximately 5kms east of where the crash occurred. The defendant was located sitting in utilities tray in an intoxicated state.

The defendant disclosed that he was in the vehicle when it crashed however, told the Constable that the vehicle was being driven by a person by another person. The defendant was taken into custody for the purpose of obtaining a blood sample and conveyed to Wadeye Health Clinic.

A sample of blood was obtained from the defendant by Wadeye Clinic staff as per requirements of the Northern Territory Traffic Act.

The defendant was treated at the clinic and later discharged.

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The defendant was later charged and on the morning of Sunday 1st of December 2024 was granted bail by a Judge and released from custody.

Investigators from the Major Crash Investigation Unit attended Wadeye and commenced an investigation into the crash.

Statements obtained from vehicle occupants identified the defendant as the driver of the vehicle at the time of the crash.

At 5:05 pm on 2nd of October 2024 the defendant was located at Lot 842A Wadeye and placed under arrest.

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The defendant was later charged and bail considered.

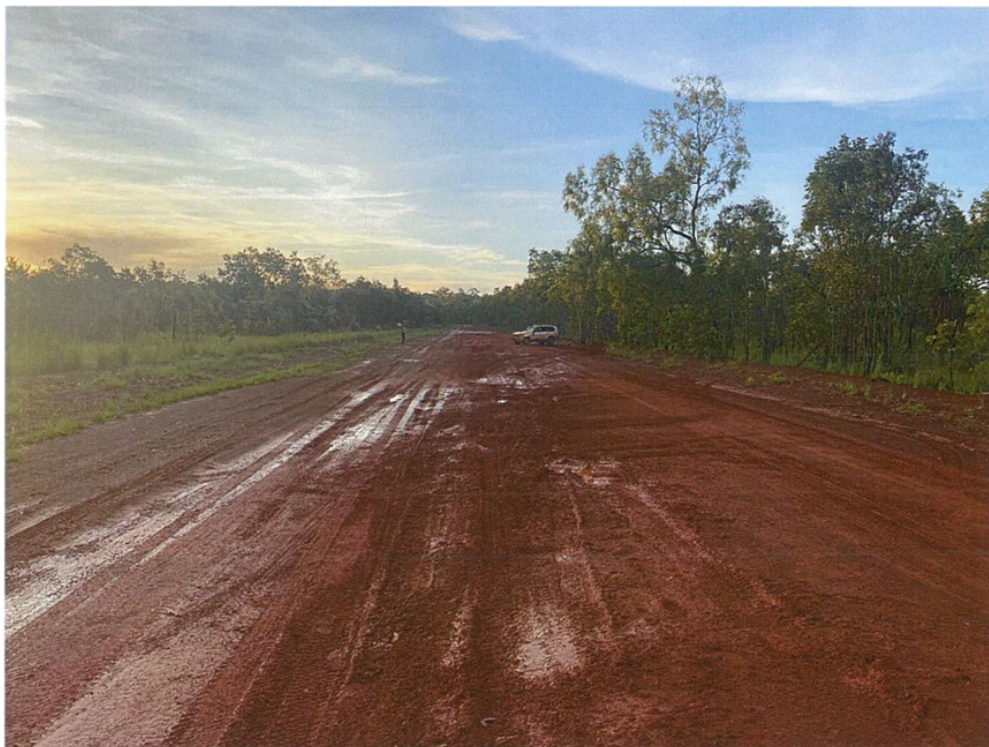
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At the time of the offence the defendant did not have a lawful or justified reason for driving a motor vehicle whilst not being the holder of a current driver's licence.

At the time of the offence, the defendant did not have a lawful or justified reason for driving an unregistered and uninsured vehicle on a public road.

Road Features and Conditions:

At the crash site, the Port Keats Road is an unsealed, dirt road. The speed limit in the area is 100 km/h. The road was straight, approximately 12 metres wide, with built up dirt sides from dirt pushed to the side by graders. The road was relatively flat with 0.2° grade and 0.6° cross-fall. The road was wet following heavy rain and there was a soft, muddy patch in the middle of the road.



Photograph courtesy of NT Police Crash investigators

Weather and Lighting Conditions:

The crash occurred in the afternoon in daylight conditions. According to witness statements there had been heavy rain before the crash, but it was not raining when the crash occurred.

According to weather observations at Port Keats Airport recorded on the Australian Bureau of Meteorology (BOM) website, the temperature was 26.0° and the relative humidity was 96% at 3pm on the afternoon of Saturday 30 November 2024. There are no rainfall measurements recorded on the

BOM on the website for dates between the 20 November 2024 and 10 December 2024, however other weather recording websites record that there was 19.8mm of rain on 29 November 2024

Vehicle Inspection:

The vehicle was a 2003 Toyota Prado Four Wheel drive wagon bearing Northern Territory registration.

Detective Senior Constable First Class Hughes conducted a mechanical inspection of the Toyota Prado on 20 March 2025. He identified a number of vehicle defects.

It was the Officer's opinion that the play in the steering, different rim offset, differing tyre sizes and differing tyre pressures would affect the vehicle's handling and may have been contributing factors to the crash once the vehicle began to lose control but was not of the opinion that the identified defects caused the vehicle to lose control and crash.

Tests and/or Calculations Conducted:

Major Crash Investigators took measurements of yaw marks and conducted friction supply testing at the scene on the afternoon of Sunday 1 December 2024. Using this data, the speed of the vehicle at the start of the yaw was calculated to be approximately 58 km/h.

It is noted though that the road surface appeared to be in a drier condition at the time of the friction supply testing compared to conditions at the time of the crash, which makes it likely that the 58 km/h calculated is higher than the actual speed at the time of the crash.

Opinion as to the Cause of Crash:

The crash investigator considered that the cause of the crash was likely a combination of the following factors:

- the road conditions being affected by wet weather, namely a muddy, bog patch in the middle of the road, resulting in the vehicle losing traction; and
- the intoxication level of the unlicensed driver impairing his ability to recover the vehicle once traction was lost.

Decision not to hold an inquest:

Under section 16(1) of the *Coroners Act 1993* 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.