

IN THE CORONERS' COURT OF THE NORTHERN TERRITORY

Rel No: D0178/2024

D0179/2024

D0180/2024

Police No: 24 70473

CORONERS' FINDINGS

ROAD DEATH 37 OF 2024 (71 year old Caucasian male driver – Vehicle 1)

ROAD DEATH 38 OF 2024 (63 year old Caucasian female passenger – Vehicle 2)

ROAD DEATH 39 OF 2024 (69 year old Caucasian male driver – Vehicle 2)

Section 34 of the Coroners Act 1993

I, Elisabeth Armitage, Coroner, having investigated the deaths of:

A **71 year old Caucasian male driver** and without holding an inquest, find that he was born on **18 October 1952** and his **death occurred on 19 July 2024, at Stuart Highway, Hayes Creek in the Northern Territory.**

A **63 year old Caucasian female passenger** and without holding an inquest, find that she was born on **4 July 1961** and her **death occurred on 19 July 2024, at Stuart Highway, Hayes Creek in the Northern Territory.**

A **69 year old Caucasian male driver** and without holding an inquest, find that he was born on **25 February 1955** and his **death occurred on 19 July 2024, at Stuart Highway, Hayes Creek in the Northern Territory.**

Introduction:

This triple fatality concerns road death numbers 37, 38 and 39 of 2024. Both drivers were licenced, their vehicles were registered and there was no alcohol involved.

Vehicle 1 was travelling north on the Stuart Highway and vehicle 2 was travelling south. Approximately 5 kms south of Hayes Creek, while negotiating a curve in the road, vehicle 1 entered the southbound lane directly into the path of vehicle 2. The high speed, head-on collision between the two vehicles caused the death of all three occupants.

It is likely vehicle 1 was travelling a little over the 130 kph speed limit and, although the speed of vehicle 2 is not known, vehicle 2 was towing a caravan.

It is the opinion of investigating Police that the cause of the collision is most likely attributable to vehicle 1 driver error. Potential contributing factors may include risky driving behaviour (speed), fatigue, distraction, inattention, or a combination of these elements. These road fatalities have left the deceased's families and friends traumatized and grief stricken.

Causes of death in each case:

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

Following autopsies on 22 July 2024, Forensic Pathologist, Dr Marianne Tiemensma commented:

71 year old Caucasian male driver (vehicle 1)

- The decedent was a 71-year-old adult male who was the reported driver of a vehicle involved in a high speed two-motor vehicle head-on collision on the Stuart Highway at Hayes Creek on the afternoon of 19 July 2024.
- I have no reason to believe with the information available, findings made during external examination, and post-mortem CT scan of the body that the death was due to any other cause than unsurvivable injuries sustained during the reported motor vehicle collision; the injury pattern was in keeping with a high speed head-on collision.

63 year old Caucasian female passenger (vehicle 2)

- The decedent was a 63-year-old adult female who was reportedly a passenger involved in a high speed two-motor vehicle collision on the Stuart Highway at Hayes Creek on the afternoon of 19 July 2024.
- I have no reason to believe with the information available, findings made during external examination, and post-mortem CT scan of the body that the death was due to any other cause than unsurvivable injuries sustained during the reported motor vehicle collision; the injury pattern was in keeping with a high speed head-on collision.

69 year old Caucasian male driver (vehicle 2)

- The decedent was a 69-year-old adult male who was reportedly the driver of a vehicle involved in a high speed two-motor vehicle collision on the Stuart Highway at Hayes Creek on the afternoon of 19 July 2024.
- I have no reason to believe with the information available, findings made during external examination, and post-mortem CT scan of the body that the death was due to any other cause than injuries sustained during the reported motor vehicle collision; the injury pattern was in keeping with a high speed head-on collision

Police investigation:

As no persons involved in the crash survived, no prosecution is forthcoming.

Background:

The driver in vehicle 1 was married with 3 adult children. He was driving to Darwin with motorbikes for two of his children.

The driver and passenger in vehicle 2 were in a long term relationship of 20 years and were on a caravan trip around Australia, their “forever holiday”.

Circumstances:

On Saturday 13 July 2024, driver 1 loaded up his vehicle with his son's two motorcycles and began a 3,543km journey from Tamworth, New South Wales to Darwin, Northern Territory, stopping at various points along the way.

On Wednesday 17 July 2024 Driver 1 resumed his journey from Winton, in his Mitsubishi (vehicle 1), driving through Thursday to Friday 19 July 2024 when Police Automatic Number Plate Recognition (ANPR) technology captured his vehicle passing through Mataranka at 9:29am.

At 11:30am on 19 July 2024 his vehicle was again captured near the southern entrance to Pine Creek. The distance between these two sightings is around 190km, giving him a median speed of about 95km/h. The crash occurred sometime prior to 12:00pm, giving him a median speed in excess of 130km/h.

Meanwhile, driver 2 and his partner had packed their caravan in Darwin and set out in their Isuzu towing their caravan (vehicle 2), planning to return to their home in Victoria. They departed around 9:00am, heading south. The Police ANPR captured their vehicle at Adelaide River at 10:04am, just prior to them turning onto Dorat Road and taking the scenic loop. They continued south through the scenic route of Dorat Road, returning to the Stuart Highway via the southern entrance.

Approximately 5km on the southern side of Hayes Creek, while negotiating a curve in the road, vehicle 1 entered the southbound lane, directly into the path of vehicle 2. There was no evidence or witnesses to explain why vehicle 1 entered the southbound lane, but a possible explanation was that his vehicle was travelling too fast to safely negotiate the bend in the highway at that point.

The vehicles collided head-on with such force as to cause vehicle 2 to come to an almost immediate stop. This dramatic change in momentum caused the towed caravan to push forward into the rear of vehicle 2, severely crushing it between the caravan and vehicle 1. The vehicle 1 also came to an almost immediate stop, rotating anticlockwise before sliding down the eastern embankment, coming to rest on the driver's side.

Several fellow motorists arrived within a short amount of time to assist but all 3 occupants were killed in the crash.

The crash was first reported to emergency services at 12.02pm.

Location and conditions:

The crash occurred on the Stuart Highway, 4.8km south of Hayes Creek.

The Stuart Highway is a sealed, sprayed bitumen, highway, generally running north to south. This section of the highway is a dual-lane road, one lane for northbound traffic and the other for southbound traffic. The lanes are separated by double solid white lines, and solid white fog lines delineate the lanes. The crash occurred at the approach to a left-hand bend. The western shoulder comprises compacted dirt and gravel, which slopes steeply downwards into vegetated bushland. The Eastern shoulder is of the same construction, however, immediately beyond the shoulder is a cut hillside of solid rock that shallows into a vegetated gully at the crash location.

The road did not contain any defects, and the speed limit was 130km/h in this area of the highway but changes to 100km/h a few km's north.

At the time of the crash, the weather was fine and clear with daytime conditions prevailing.

Vehicle Inspection:

The vehicles involved were a White Mitsubishi Triton Utility (Queensland Registration) and a Grey Isuzu MUX (Victorian Registration) towing a caravan.

Due to the extensive damage of both vehicles sustained during the crash, a mechanical inspection was not carried out. This crash is unlikely to have been caused by mechanical defect.

Tests and/or Calculations Conducted:

Due to extensive damage to both vehicles and sparse scene evidence available, any calculations performed concerning speed would be done on speculative data and not accurate to any degree, so no speed estimates were performed.

An attempt was made to retrieve crash data from the Event Data Recorder (EDR), also known as the Airbag Control Module (ACM), from both involved vehicles. However, the 2011 Mitsubishi Triton (vehicle 1) was not equipped with an EDR compatible with our data retrieval methods, due to its age and model specifications. In relation to the Isuzu D-Max (vehicle 2), while the vehicle was fitted with an ACM, the module was found to be extensively damaged because of the collision and was unable to be accessed or extracted for any usable data.

Opinion to cause of crash:

It is the opinion of Police that the collision occurred within the southbound lane of the Stuart Highway and that the vehicle 1 had, for reasons unknown, crossed into oncoming traffic. Based on the available evidence, including the absence of mechanical defects and environmental hazards, it is the opinion of Police that the cause of the collision is most likely attributable to vehicle 1 driver error. Potential contributing factors may include risky driving behaviour (speed), fatigue, distraction, inattention, or a combination of these elements.

Decision not to hold an inquest:

Pursuant to section 16(1) of the *Coroners Act 1993* I decided not to hold an inquest because the investigations into the deaths disclosed the time, place and causes of death and the relevant circumstances concerning the deaths. I do not consider that the holding of an inquest would elicit any information additional to that disclosed in the investigation to date. The circumstances do not require a mandatory inquest because:

- The deceased were not, immediately before death, persons held in care or custody; and
- The deaths were not caused or contributed to by injuries sustained while the deceased was held in custody; and
- The identity of each of the deceased is known.