



FINDING OF INQUEST

An Inquest taken on behalf of our Sovereign King at Adelaide in the State of South Australia, on the 4th day of January and the 23rd day of March 2023 and the 2nd day of September 2024, by the Coroner's Court of the said State, constituted of Ian Lansell White, Deputy State Coroner, into the death of Jay Wyliam Papworth.

The said Court finds that Jay Wyliam Papworth aged 23 years, late of 7 Gum Court, Morphett Vale, South Australia died at the intersection of Sturt Road and Diagonal Road, Seacombe Gardens, South Australia on the 19th day of November 2020 as a result of blunt head and chest injuries. The said Court finds that the circumstances of his death were as follows:

1. Introduction

- 1.1. Jay Wyliam Papworth died on Thursday 19 November 2020 due to being involved in a collision with a public bus as a motorcyclist. He was 23 years old. The collision caused instant fatal injuries to him.
- 1.2. On 23 November 2020 Mr Papworth was subject to a post-mortem examination that comprised of a CT scan and a detailed external examination at Forensic Science SA.¹ At that time a sample of his blood was taken for the purpose of ascertaining his toxicology levels at the time of his death.
- 1.3. The post-mortem examination was conducted by senior specialist forensic pathologist, Professor Roger Byard AO. He concluded that Mr Papworth died of blunt head and chest trauma.²

¹ FSSA

² Exhibit C2a

- 1.4. I accept Professor Byard's opinion of the cause of Mr Papworth's death and make a finding accordingly as required by the Coroners Act 2003.³
- 1.5. FSSA conducted the toxicology test of his blood taken at the post-mortem examination. The results of this test revealed significantly high levels of methylamphetamine and cannabis were present in his blood at the time of his death. No alcohol was detected.

2. Circumstances of the collision causing his death

- 2.1. On 19 November 2020, South Australia⁴ was dealing with the COVID-19 pandemic. Severe restrictions were in place that day concerning people's movements in the community. South Australia was in a major lockdown with only a few services available including public transport, petrol stations, banks, supermarkets and post offices.
- 2.2. All citizens were required to be at home except for daily essential activities, or work under the status of an essential worker. Mr Papworth did not satisfy either criteria on that day to be on a public road at the time of the collision.
- 2.3. Mr Papworth was seen at about 4pm in the rear carpark of the Bank SA branch at 201 Sturt Road, Seacombe Gardens.⁵
- 2.4. His presence was noted by Bank SA employees who were leaving work. He had parked a motorcycle in an unusual spot in the carpark. He was sitting on the motorcycle seemingly avoiding contact with Bank SA employees as they made their way to their cars after work. The motorcycle was a red Triumph T200 Sprint ST.⁶ The Triumph had been painted over in black and had been stolen months earlier. It is not known exactly how he came into possession of it. It also bore a fake cardboard registration plate.
- 2.5. The employees left the carpark believing that as Bank SA was shut, nothing of consequence was going to happen. A short time later, Mr Papworth was at the front of Bank SA on the Triumph. At that time South Australia police officer,⁷ Brevet Sergeant⁸ Neil Hogg, was driving a marked SAPOL vehicle on Sturt Road and saw him.

³ The Act

⁴ SA

⁵ Bank SA

⁶ The Triumph

⁷ SAPOL

⁸ BS

- 2.6. BS Hogg stopped on Sturt Road to speak briefly to him. This conversation was recorded on his body worn video⁹ camera. The BWV footage shows BS Hogg getting out of the SAPOL vehicle and then moving quickly to Mr Papworth, who rode off before any conversation could commence. BS Hogg was going to talk about motorcycle safety as he was an experienced rider. The condition of the Triumph looked ‘*dodgy*’ to him. Mr Papworth’s helmet and attire looked insufficiently safe to him as well. When Mr Papworth took off, he headed rapidly east on Sturt Road on the incorrect side of the road.
- 2.7. BS Hogg pursued him travelling correctly down Sturt Road. He did not activate the light and sirens, but notified SAPOL Communications Centre about the incident. I have seen the BWV footage many times and conclude the following;
1. Mr Papworth’s reaction to SAPOL presence was to panic. This was no doubt affected by his high level of methylamphetamine and cannabis, and probably with the knowledge that the Triumph was not in roadworthy condition.
 2. Mr Papworth also likely knew he was a disqualified driver and had never held a motorbike licence.
 3. It was also highly likely he knew the Triumph was stolen. If so, this was a further reason to panic and get away from SAPOL at that point. The cardboard registration plate and the poorly concealed original red paint must have indicated that to him, that it was ‘*dodgy*’ to use BS Hogg’s description.
 4. The manner in which he rode the motorcycle up Sturt Road at speed and on the incorrect side of the road could only be described as dangerous to the public and ultimately, as it proved, to himself.

3. The fatal collision

- 3.1. The best description of the collision is found in the SAPOL Major Crash Investigation Unit report to the State Coroner about Mr Papworth’s death.¹⁰ This report summarised that:

‘... at about 4:20pm on Thursday, 19 November 2020 ... the Scania passenger transport bus ... was travelling north along Diagonal Road and commenced to turn left to continue west along Sturt Road taking the entire carriageway to do so due to the size of the bus.

⁹ BWV

¹⁰ Exhibit C41c

Whilst mid-turn, a motorcycle came towards him (the driver) at high speed and on the wrong side of the road, and impacted with the left side of the bus.’¹¹

...

‘The CCTV cameras mounted on and inside the bus captured the motorcycle prior to the collision, at the time of the collision and the post-impact movement of PAPWORTH and the motorcycle. The motorcycle can be seen tipped on its left side as it reaches the centre of the bus with PAPWORTH between the bus and motorcycle at the time of impact. PAPWORTH and the motorcycle separated from the side of the Scania bus with PAPWORTH coming to rest on the footpath and the motorcycle sliding a short distance to its post-impact “at-rest” location on Diagonal Road.’¹²

- 3.2. The speed of the Triumph at impact was at a minimum 54 kilometres per hour.¹³
- 3.3. SAPOL concluded that the driver of the bus was unable to avoid the collision and was not at fault. He tested negative to both drugs and alcohol.
- 3.4. I agree with SAPOL’s analysis of the collision.
- 3.5. As said earlier, Mr Papworth was killed instantly.
- 3.6. A number of civilians came to the scene before ambulance and further SAPOL officers arrived.
- 3.7. BS Hogg had seen the impact from a distance. He continued to the scene and was immediately distressed by it. Mr Papworth’s death has had a profound impact on BS Hogg’s life. He now suffers post-traumatic stress disorder,¹⁴ which has been severe at times. I can only hope that his condition improves in the future. PTSD is a serious mental health affliction.
- 3.8. In my view BS Hogg is not liable nor responsible in any way for Mr Papworth’s death. This is also the conclusion of SAPOL.¹⁵

4. Mr Papworth’s personal life

- 4.1. In late 2020, Mr Papworth was living at Morphett Vale with a long-term friend. According to her, both of them bonded quickly with shared experiences of childhood trauma and being users of methylamphetamine and cannabis. Mr Papworth had young

¹¹ Exhibit C41c, page 4

¹² Exhibit C41c, page 8

¹³ Exhibit C40, SAPOL expert reconstruction report of the collision

¹⁴ PTSD

¹⁵ Exhibit C41c, page 8

twin daughters in Melbourne and a young son in Waikerie. All his children live with their respective mothers. He had trouble with drugs and alcohol and had expressed a desire to '*get himself clean*'.¹⁶

- 4.2. On the day of his death, he came to his friend's house between 1:30pm and 2pm on the Triumph. He complained to her that the Triumph was '*too big for him to handle and that is was really heavy*'.¹⁷
- 4.3. He stayed long enough to have a shower. On his departure he indicated that he was going to visit his mother in Hallett Cove.
- 4.4. That was the last known movement before being seen at Bank SA.

5. Conclusions and recommendations

- 5.1. Mr Papworth's death was subject to a mandatory Inquest due to the circumstances of his encounter with BS Hogg being deemed a '*death in custody*' as defined in the Act, namely he was '*escaping or attempting to escape*' SAPOL at the time of his death.
- 5.2. I find that Mr Papworth was the sole author of his death, influenced by a fear of the consequences of his encounter with SAPOL and under the effects of illicit drugs. His panicked decision to flee was followed by riding the Triumph in a manner dangerous to the public up to the time of the collision where he was killed instantly.
- 5.3. I make no recommendations.

Key Words: Death in Custody; Police

In witness whereof the said Coroner has hereunto set and subscribed his hand and

Seal the 2nd day of September, 2024.

Deputy State Coroner

¹⁶ Exhibit C4, page 2

¹⁷ Exhibit C4, page 3