



MAGISTRATES COURT of TASMANIA

CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Simon Cooper, Coroner, having investigated the deaths of Nathaniel Calma and Cheryl Ann Isip David

Find, pursuant to Section 28(1) of the Coroners Act 1995, that

- a) The identity of the deceased is Nathaniel Calma David;
- b) Mr David died as the result of injuries sustained as driver of a Ford Ecosport station wagon involved in a two vehicle crash;
- c) The cause of Mr David's death was blunt trauma of the head including a laceration of the brain stem;
- d) The identity of the deceased is Cheryl Ann Isip David;
- e) Mrs David died as the result of injuries sustained as front seat passenger in a vehicle involved in a two vehicle crash;
- f) The cause of Mrs David's death was multiple injuries including multiple bilateral rib fractures, a stern fracture and a laceration of the aorta; and
- g) Mr and Mrs David died on 10 July 2021, on the Bass Highway, near Exton, Tasmania.

In making the above findings, I have had regard to the evidence gained in the investigation into the collision which caused Mr and Mrs David's deaths.

The evidence includes:

- Police Report of Death for the Coroner – Mr David;
- Police Report of Death for the Coroner – Mrs David;
- Affidavits establishing identity and life extinct – Mr David;
- Affidavits establishing identity and life extinct – Mrs David;
- Post Mortem Report – Mr David - Dr Donald Ritchey, Forensic Pathologist;

- Post Mortem Report – Mrs David – Dr Donald Ritchey, Forensic Pathologist;
- Tasmania Police Crash Investigation Services – complete investigation file.

On 10 July 2021, Mr and Mrs David were on holiday in Tasmania with their 3 teenage children.

At the time of the crash the family were travelling from Launceston (where they had stayed the previous night) to Champagne Falls near Moina on Tasmania's North West Coast. To get there, they initially had to travel west along the Bass Highway. Mr David was driving, Mrs David was a front seat passenger and the 3 children were back seat passengers. The vehicle in which the family were travelling was owned by Mrs David and registered in Victoria.

The accident in which Mr and Mrs David died was captured on police body worn camera footage taken by Constable Glenn Dawson. Constable Dawson's police vehicle was stationary, well off the roadway, underneath the Porters Bridge Road overpass. He had just pulled over another driver and Constable Dawson was out of his vehicle. His body worn camera footage shows the David family Ford on the incorrect side of the Bass Highway.

Several members of the public witnessed the vehicle driven by Mr David in the wrong lane. At least 2 of the David children later told investigators that they also realised the vehicle was in the wrong lane. One shouted a warning to his father immediately prior to the crash.

Subsequent investigation confirmed that the collision occurred in the east bound lane of the highway approximately 40 metres west of the overpass. The other driver involved, Ms Demi Jones, took evasive action but was unable to avoid colliding with the vehicle in which Mr and Mrs David were travelling. Mr and Mrs David died virtually instantaneously. All 3 children suffered injuries including fractures of the spine, leg and ribs. All were hospitalised.

Fortunately, Ms Jones suffered, relatively speaking, minor injuries in the crash. Her four week old daughter, who was properly restrained in the rear of the vehicle was not injured. Ms Jones' front seat passenger, her partner Mr Mitchell Snooks suffered a fractured spine as well as other injuries. He also required hospitalisation.

The evidence satisfies me that drugs, alcohol, speed, weather conditions and road conditions did not cause or contribute to the happening of the crash. There is no evidence that vehicle had a mechanical defect which either caused or contributed to the happening of the crash

It is impossible to determine why Mr David drove the vehicle into the wrong lane of the Bass Highway. Inattention appears to be the most likely explanation.

I do not think it likely that Mr David was distracted by Constable Dawson's police vehicle. I say this because a witness saw the Ford in the wrong lane of the highway before it reached the Porters Bridge Road overpass.

Comments and Recommendations

The circumstances of Mr and Mrs David's deaths are not such as to require me to make any comments or recommendations pursuant to Section 28 of the *Coroners Act 1995*.

I convey my sincere condolences to the family and loved ones of Mr and Mrs David.

Dated: 23 May 2022 at Hobart in the State of Tasmania.

Simon Cooper

Coroner