



## IN THE CORONERS' COURT OF THE NORTHERN TERRITORY

Rel No: A0014/2024

Police No: 24 28158

### **CORONERS' FINDINGS**

#### **ROAD DEATH 14 OF 2024**

*Section 34 of the Coroners Act 1993*

I, Elisabeth Armitage, Coroner, having investigated the death of a **37-year-old male** and without holding an inquest, find that he was born on **25 March 1986** and that his **death occurred on or about 14 March 2024, at Stuart Highway, Devils Marbles in the Northern Territory.**

#### **Introduction**

This death was the 14<sup>th</sup> road death of 2024. In 2024 there were 60 road deaths in the Northern Territory. Which is by far the worst rate in Australia and the highest number of road deaths for the Territory over the past decade. The road death toll has been described as “disgraceful” and “outrageous” by Senior Police and former Ministers. Considering this terrible loss of life and consistent with my function to ensure the coronial system operates efficiently and my power to comment on public safety connected with a death, I have undertaken to publish anonymised findings concerning all the road deaths in 2024. It is hoped that by making findings about the circumstances of these deaths public, this will improve individual and agency awareness as to the causes of road fatalities, with the ultimate objective of saving lives and reducing the road death toll in the future.

This was the death of an intoxicated man who, unbeknownst to the driver, hitched a ride on the drawbar of a commercial coach trailer. The coach stopped at about 3 am to assist a group of travelling companions who had become bogged on the side of the Stuart Highway. Two of the more sober of these travellers were given a lift to the next roadside establishment to seek assistance. The others were expected to wait with the bogged vehicle until further help arrived. However, this male climbed onto the drawbar between the coach and the luggage trailer. Two of his companions sensibly yanked him off the drawbar. However, as the coach pulled away, he climbed back on. He cannot have had a firm grip because in one hand he was holding a bottle of rum. Unsurprisingly, but tragically for his family and community, he fell from the drawbar after travelling on it for 10 minutes and 45 seconds. He was run over by the wheels of the trailer and came to rest, concealed by long grass, in a spoon drain. He was discovered deceased, 4 days later, when concerned family members searched the roadside.

According to the 2024-2028 Towards Zero Road Safety Action Plan, 97% of pedestrian deaths involve high levels of alcohol. Although this deceased was not a pedestrian when he passed away, he was a drunk pedestrian when he chose to hitch a ride on the drawbar.

### **Cause of death**

- |      |   |  |
|------|---|--|
| 1(a) | Disease or condition leading directly to death:   | <b>Blunt force trauma, predominantly involving the lower limbs</b> |
| 1(b) | Morbid conditions giving rise to the above cause: | <b>Fall from a commercial vehicle (coach)</b>                      |
| 1(c) |   | <b>Acute alcohol intoxication</b>                                  |

Following an autopsy on 21 March 2024, the Forensic Pathologist relevantly commented:

#### Summary of main pathological findings

- External examination showed:
  - The body of a clad adult male of Aboriginal ethnicity, covered with a brown and white sheet.
  - Moderate to advanced signs of decomposition.
  - Extensive disruption and comminuted fractures of both lower limbs.
  - Fracture of the left orbital roof/frontal bone.
  - Some apparent brush abrasions on the buttocks and left thigh, and dirt embedded in the skin.
- Internalexamination showed:
  - Focal chest wall bruising on the left side.
  - Focal contusion of the liver (right lateral aspect).
- A post-mortem CT showed:
  - Extensive decomposition changes.
  - Depressed left frontal bone fracture into the frontal sinus.
  - Right scapular fracture.
  - Extensive comminuted fractures of the left and right tibias and fibulas.
  - Fracture of the left acetabulum with partial posterior dislocation of the left hip.
- Toxicological analysis of a chest cavity fluid sample showed:
  - An elevated alcohol concentration of **0.23%**.

#### Comments

The body of the 37-year-old male decedent was reportedly located next to the Stuart Highway on the afternoon of 19/03/2024 in a state of decomposition with evidence of blunt force trauma. He was last seen alive when he reportedly got on the frame of a

freight trailer pulled by a Greyhound bus on the 14th of March; and he was reportedly intoxicated at the time.

Post-mortem examination showed moderate to advanced signs of decomposition, and extensive blunt force trauma predominantly involving the lower limbs. Post-mortem toxicological analysis of a chest cavity fluid sample (no blood available due to decomposition) showed an elevated alcohol concentration of 0.23%. It should be noted that chest cavity fluid is a suboptimal sample for toxicological analysis, and in addition, some of the measured alcohol may have resulted from post-mortem ethanol synthesis.

### **Circumstances**

The deceased was the second eldest of four siblings and resided with his wife and their five children. He had worked as a baker for 16 years in his community and was known to be a diligent and hard worker. His death has had a profound impact on his family and on his community.

In the afternoon of Thursday 14 March 2024, the deceased and three close family members drove to the Devils Marbles Hotel in a blue Ford Falcon to purchase alcohol and socialise. None of the group were on the banned drinkers register at this time. At the Devils Marbles Hotel, a 6 pack of VB was purchased and shared. At approximately 7.00pm the group headed to Tennant Creek.

When they arrived at Tennant Creek they parked at the cemetery on the outskirts of town, to deliberately avoid Police attention. They arranged for another family member to pick them up and drive them into Tennant Creek to locate and purchase secondary supply alcohol. They attended an unknown residence on Blackmore Road where three 750ml bottles of Bundaberg rum were purchased for \$150 each. Police investigations have been unable to locate this residence, but an Information Report (IR) has been lodged to assist intelligence led operations locate and deal with such outlets in Tennant Creek.

They attended the BP service station, purchased some food and a jerry can of fuel, before heading back to the cemetery. In the later part of the night, the group made a collective decision to leave Tennant Creek and head back to their home community.

The deceased was seated, unrestrained, in the front seat on the centre console. The group passed around rum mixed with coke, finishing two bottles. Along the journey there was an argument between the driver and the deceased over family matters. The deceased moved to the front passenger seat and another male took up the position in the centre console. The group collectively asked the deceased to open and share his bottle of rum. However, he refused and explained that he was saving it for someone back home.

As the vehicle approached the area of Gilbert Swamp, approximately 5km north of the Epenarra turnoff, the driver pulled the vehicle hard to the left. The vehicle entered the spoon drain, becoming bogged.



Photo courtesy of the police investigation

The group alighted the vehicle and attempted to push it from the bog with no luck. One male located a "reduce speed" road sign and attempted to flag down passing motorists, with no success.



Photo courtesy of the police investigation

At approximately 2.55am on Friday 15 March 2024, a Greyhound Coach was travelling south on its way to Alice Springs. As the coach driver approached the area of Gilbert Swamp, she noticed a red sign being waved around and the flash of a torch light. She slowed the coach to a stop and remained on the bitumen due to the vast amounts of water over the roadway and the soft edges. As she opened the door, she observed the group, she also noted that they appeared to be intoxicated and physically fighting. Feeling uneasy about dealing with the group alone, she woke the co-driver to assist.

The coach staff had a genuine concern for their passengers and decided that they would only take two of the more sober and less aggressive persons aboard. Two of the group were given a lift through to the Devils Marbles Hotel where they could seek assistance.

Without the knowledge of Greyhound staff, the deceased, holding his bottle of rum, climbed on to the drawbar of the trailer to hitch a ride.

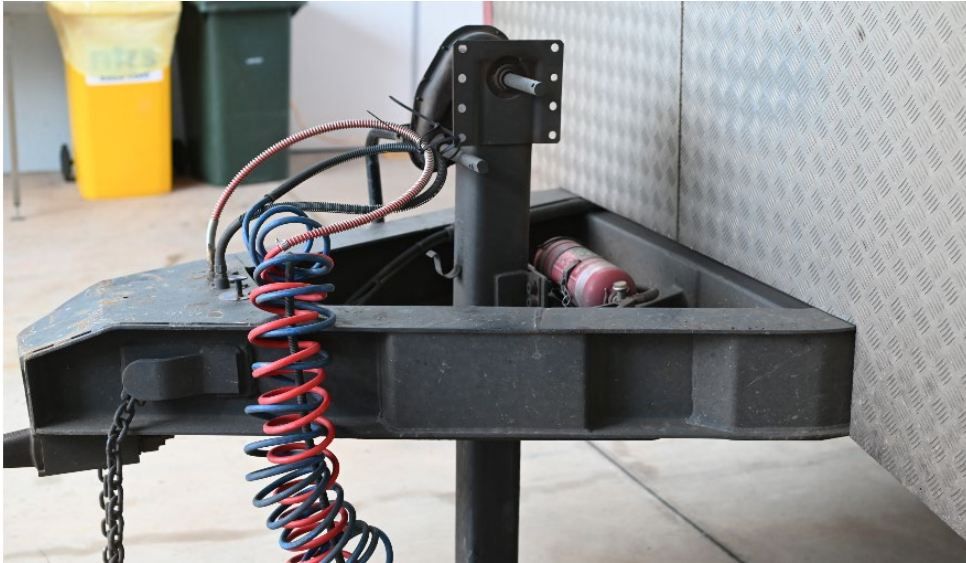


Photo of the tow bar courtesy of the police investigation

On-board rear coach CCTV shows two of the group members, pulling him from the trailer drawbar and out of camera view. Shortly after, as the coach was pulling away from the location, and still unbeknownst to Greyhound staff, he climbed back onto the trailer drawbar.

Rear coach CCTV captures the following timings:

At 2 min and 36 seconds - the deceased climbs onto the drawbar of the trailer.

At 3 min 35 seconds - the deceased is wrestled from the trailer by two of his companions.

At 5 min 09 seconds - as the coach departs, the deceased climbs back onto the trailer drawbar.

At 5 min and 45 seconds - the deceased drinks straight rum from the bottle.



Still from rear coach CCTV courtesy of the police investigation

Over a 5 min period, from 5 min 45 seconds to 10.44 seconds, the deceased continues to drink straight rum from the bottle, before falling asleep.

At 10 min 45 seconds - the deceased sways heavily to the passenger side of the bus and falls.

At 10 min 46 seconds - the deceased travels directly under the passenger side wheels of the single axle trailer.

The coach driver could not 'live view' this CCTV.

The deceased was last seen alive on CCTV at 3.05am on Friday 15 March 2024 just before falling from the Greyhound Coach trailer tow bar.

After a couple of days, members of his family missed him and went looking for him. They located his body at about 1.45pm on Tuesday 19 March 2024, approximately 23km north of the Devils Marbles Hotel on the eastern side of the Stuart Highway.

Road evidence indicated that he struck the bitumen and was thrown clear of the roadway, into the spoon drain, which was laden with long grass. The long grass concealed him from passersby which explains the delay in his discovery.

At the point of the incident, the Stuart Highway is a dual lane highway. The roadway is orientated in a north/south aspect, with a sealed bitumen surface. The road surface was in good repair, with no obvious damage and the lanes were clearly marked. The posted speed limit was 130km/h.

The vehicle was a 2007, Scania, K114, Coach towing an enclosed commercial goods trailer.

A mechanical inspection was not carried out on the coach, and deemed not necessary, due to the mode of death. The trailer was forensically examined by the Northern Territory Police Forensic Services Unit. Results of the inspection confirmed the presumption of DNA belonging to the deceased on the trailer drawbar.

The weather at the time of death was fine and clear. The section of roadway at the immediate scene is dark with no artificial or street lighting available.

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

It is the reporting member's opinion that, while highly intoxicated, the deceased, of his own volition, climbed onto the trailer drawbar and fell from it as it moved along the Stuart Highway.

No fault is attributed to the driver or co-driver as neither knew that the deceased had hitched a ride, he ultimately climbed onto the drawbar just as the coach was ready to depart, and the drawbar was hidden from their view.

### **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 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 further relevant information. 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. The identity of the deceased is known.