

IN THE CORONERS' COURT OF THE NORTHERN TERRITORY

Rel No: D0214/2024

Police No: 24 85112

**CORONERS' FINDINGS**  
**ROAD DEATH 46 OF 2024**  
*Section 34 of the Coroners Act 1993*

I, Elisabeth Armitage, Coroner, having investigated the death of a **42 Year old Aboriginal Female** and without holding an inquest, find that the deceased was born on **16 October 1981** and that her **death occurred on 28 August 2024, at Stuart Highway, Knuckey Lagoon in the Northern Territory.**

**Introduction:**

These findings concern the road death of a 42 year old Aboriginal pedestrian. As she attempted to cross the Stuart Highway in the vicinity of the Darwin Sober Up Shelter (DSUS), she was struck by a sober, licenced driver travelling within the speed limit.

Although the area is used by pedestrians arriving at or departing from the DSUS there were no specific safety measures in place for pedestrians to cross the road, or to alert drivers as to the likelihood of pedestrians. The combined speed limit and limited lighting meant that this driver could not avoid the pedestrian.

I have recommended that pedestrian safety measures be improved at that location.

**Cause of death:**

- |      |   |  |
|------|---|--|
| 1(a) | Disease or condition leading directly to death:   | <b>Multiple blunt force injuries</b>             |
| 1(b) | Morbid conditions giving rise to the above cause: | <b>Reported motor vehicle crash (pedestrian)</b> |
| 1(c) |   | <b>Chronic alcohol and Cannabis intoxication</b> |

Following an autopsy on 29 August 2024, Forensic Pathologist, Dr Salona Roopan commented:

## Summary of main pathological findings

- Post-mortem CT scan findings revealed:
  - No facial or clavicle fractures but large scalp haematoma of the right parietal region.
  - Extensive subarachnoid haemorrhage and significant craniocervical dislocation.
  - Endotracheal tube with the tip at the carina and origin of the right main bronchus.
  - Extensive lung opacity with left-sided pleural effusion.
  - Undisplaced left lateral rib fractures with a small left pneumothorax.
  - Undisplaced fracture through the sacrum and the tip of the right transverse process of 4th lumbar vertebra with bilateral inferior and superior pubic ramus fractures.
  - Minimally displaced fractured left neck of femur.
  - Comminuted fractures of the right tibia and fibula.
  - Minimally displaced fracture of the left distal fibula.
  - Comminuted intra-articular fracture of the left distal humerus.
- Toxicological analysis of preserved femoral blood showed:
  - Alcohol level of 0.24%
  - Cannabinoids and its metabolites were detected
  - No other drugs listed in the laboratory's Scope of Analysis were detected in the samples submitted for analysis.
- Toxicological analysis showed a blood alcohol level of 0.24%. Although the clinical effects may differ from person to person due to individual factors, a blood alcohol level of 0.24% is associated with moderate level of alcohol intoxication which may result in impaired cognitive and motor functions including impaired balance and coordination. The presence of cannabinoids and its metabolites indicates recent cannabis use.
- I have no reason to believe that the information available and the findings made during external examination of the body that the death was due to any other cause than those injuries sustained during the reported motor vehicle collision as a pedestrian

## Background:

This 42 year old Aboriginal female pedestrian was raised on South Goulburn Island.

She had a strong connection to country and was passionate about hunting, fishing, and camping on Goulburn Island. In addition, she was a talented artist who frequently spent time drawing or painting.

When in Darwin, she was known to consume alcohol heavily. At the time of her death, she was not subject to a current Banned Drinker Order (BDO), although three previous BDOs

had previously been imposed and subsequently expired. She was, however, subject to bail conditions prohibiting her from purchasing, possessing, or consuming alcohol.

### **Circumstances:**

On Wednesday, 28 August 2024, the pedestrian was in the company of friends at the Wagaman Shops drinking alcohol. She later walked inside Casuarina Square food court to use the toilet. Neptune Security staff approached her due to her intoxication and escorted her from Casuarina Square via the Bradshaw Terrace exit. She crossed Bradshaw Terrace and at 2:14pm she lay down on the pavement near the entrance of Chemist Warehouse.

Chemist Warehouse staff called for Larrakia Nation Night Patrol (Night Patrol) to take her to a safe place. She was offered food and water.

Night patrol arrived around 2:35pm and after about 5 minutes of conversation, she agreed to be taken to the Darwin Sober Up Shelter (DSUS). They arrive at the DSUS at 3:15pm and began the reception process.

The DSUS staff helped her to the female dormitory where she rested for approximately four and a half hours. She subsequently decided to leave the premises, despite staff encouraging her to remain. A Night Patrol unit, which was at the DSUS after dropping off another client, was available to give her transport. However, due to her decision to leave prior to completion of a six-hour observation period, there was some confusion and a mistaken belief that she was ineligible for transport home with Night Patrol.

DSUS staff complied with internal procedures and assisted with her departure and then notified the Northern Territory Police that she had departed the facility without completing the recommended stay, referred to as an 'absconder.'

At 7:28pm, CCTV footage records her exiting the shelter via the Stringybark Centre. She proceeded south along the perimeter fence line, passing through adjoining bushland. By 8:10pm, she was observed near the Don Dale Youth Detention Centre, walking north along Tivendale Road. It is inferred that she was attempting to reach a CDC public bus stop located near Thorak Road on the opposite side of the Stuart Highway.

She crossed the inbound lanes of the Stuart Highway and walked through the vegetated median strip. A CDC bus 244 was stopped at the Thorak Road bus stop and it is believed that she was trying to catch this bus. She started running towards the bus, crossing the outbound lanes of the Stuart Highway.

While attempting to cross the outbound lanes at 8:17pm she was struck by a white Honda Civic sedan with NT registration driven by a female driver. She was projected forward onto the bitumen roadway. The collision was partially captured by the rearward-facing CCTV camera on CDC bus 244, which was still stationary at the Thorak Road bus stop.

The Honda driver stopped and attempted to provide assistance. Other motorists stopped and a traffic work crew member provided first aid and contacted emergency services at 8.18pm. Paramedics arrived a short while later at 8.33pm and provided further treatment.

Despite all resuscitative efforts, she was declared deceased at the scene at 8:59pm.

A police crime scene was established, and members of the Major Crash Investigation Unit attended to assume responsibility for the investigation.

### **Road Features and Conditions:**

At the scene of the crash the Stuart Highway is a sealed dual-lane, dual-carriage way, divided road. The speed limit is 90kmph. There are two inbound lanes and two outbound lanes

divided by a grassy vegetated median. The roadway is delineated by graded dirt shoulders. Each lane is about 3.5 metres in width and divided by a painted white broken line. The edges of the lanes are marked with painted white fog lines and the outbound lane has a 1.5 metre sealed shoulder before the dirt shoulder. On the outbound lanes, there is a bus stop, with a sealed slip lane to allow for the bus to stop without impeding traffic. This is Bus stop 333. The vegetated median is roughly 29 metres wide. The closest intersection is Tivendale Road on the south side of the Stuart Highway and Thorak Road to the north.

### **Vehicle/Occupant/inspection:**

The 2013 White Honda Civic Lift was registered, and the driver was licensed.

On Tuesday 8 October 2024, the vehicle was inspected by MVR inspectors at the seized vehicle compound in the Peter McAulay Centre.

The vehicle was noted to be unroadworthy due to windscreen damage and sharp bonnet protrusions. A Defect Notice was issued listing windscreen and dislodged left hand head light. This damage is attributed to the crash impact. There were no defects identified that contributed to the crash.

### **Tests and/or Calculations Conducted:**

A CCTV analysis was conducted using available footage obtained from CDC Bus 244, which partially captured the collision. However, due to the poor image quality and limited field of view, it was not possible to complete an accurate or reliable speed calculation report.

Additionally, an examination of the Event Data Recorder (EDR) in the Honda Civic confirmed that no collision-related event was recorded. This is likely due to the nature and severity of the impact being below the threshold required to trigger data capture.

The crash scene was evidence marked and then recorded utilising a laser scanning survey device. The scene was also photographed. Light mapping was not conducted due to the damage to the front of Honda Civic.

The driver was conveyed to the Royal Darwin Hospital by St John Ambulance where police bloods were obtained. The results of these tests were negative for drugs and alcohol.

A human factors assessment was undertaken by a Detective Senior Constable, applying recognised RESPONSE research methodology. This assessment considered pedestrian conspicuity, ambient lighting conditions, driver perception-reaction time, vehicle speed, and available avoidance distance. Based on these factors, it was determined that the pedestrian would not have been recognised by the driver in sufficient time for an avoidance response, and that the collision was unavoidable for the average driver travelling within the posted speed limit.

### **Weather and Lighting Conditions:**

The weather was clear and fine and at the time of the crash, it was nighttime. Street lighting provided limited illumination of the roadway.

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

It is the opinion of Police that the collision occurred because the pedestrian attempted to cross the Stuart Highway while heavily intoxicated, when it was dark, and in an area not designated for pedestrian crossing. Toxicology results (0.24%) and DSUS records confirm that she was significantly intoxicated at the time of the incident. Her level of intoxication impaired her judgment, perception of risk, and ability to safely navigate the roadway as a pedestrian. The

evidence suggests that she was rushing to reach a stationary bus on the opposite side of the highway.

At the time of the crash, visibility was low, and the roadway was dimly lit.

The speed limit on the Stuart Highway in the vicinity of the crash is 90kmh. There is no evidence to suggest any fault on the part of the driver, who is believed to be travelling within the speed limit and had no meaningful opportunity to react.

**Comments:**

DSUS staff informed Larrakia Nation Night Patrol officers that the pedestrian/client had not completed a six-hour stay. The Night Patrol staff involved, who were relatively inexperienced, were operating under the mistaken belief that a six-hour minimum stay was a requirement for transport eligibility, referred to as the 'six hour rule.' It has since been confirmed that no such formal policy exists, and Night Patrol staff retain discretion to transport DSUS clients who leave before completing 6 hours, provided the individual consents. Since the incident, DSUS staff now commonly contact Night Patrol and request client pickups regardless of whether the client has completed a six-hour observation period.

DSUS plays a vital role in supporting individuals affected by alcohol misuse. However, it is situated in an area that poses inherent safety risks for intoxicated individuals, particularly because it sits adjacent to major arterial roads with limited pedestrian infrastructure. This placement means that clients who voluntarily leave the shelter, often while still intoxicated, may immediately enter environments with fast-moving traffic and inadequate safe walking routes, significantly increasing their vulnerability to harm. The shelter's proximity to these hazardous roadways raises the likelihood of pedestrian-related incidents.

The Fatal and Serious Crash Review Working Group has discussed increasing lighting in the area, and this action item has been assigned to the Department of Infrastructure and Logistics representative.

**Additional Comments:**

The hierarchy of road safety meetings is as follows:

1. RSTF - Road Safety Task Force (RSTF) – Chaired by the CEO of Department Infrastructure and Logistics (DLI)

2. IPT - Implementation Project Team (IPT) – The IPT report to the RSTF.

IPT sub-groups – Report to the IPT

- Education and Awareness - Share information for cohesive and consistent delivery of road safety messaging.
- Legislation Working Group - Discuss and progress work on legislative reform relating to Towards Zero Road Safety Action Plan items.
- Pedestrian Safety Reference Group – Sharing information, discussion of road safety issues relating to pedestrians.
- Police Fatal and Serious Injury Working Group – Share and discuss details of fatal crashes, highlighting actions which can possibly be addressed after a crash.

The Police Fatal and Serious Injury Working Group (the Working Group) comprises representatives from TPOL, DLI, Motor Accident Compensation Commission (MACC), and

Transport Safety and Services (TSS), and meets every 3 months. Its terms of reference, membership and rules are as follows:

### **TERMS OF REFERENCE**

#### **PURPOSE;**

The purpose of the meetings are to review fatal and serious crashes that have occurred in the previous 3 months, identify and implement treatment options that may mitigate the risk and likelihood of future crashes.

#### **MEMBERSHIP;**

Membership of the group shall include:

Northern Territory Police (NTP)

Commander Crime Command

Superintendent Crime Division

OIC Territory Major Crash Investigations

Sergeants Territory Major Crash Investigations

Department of Infrastructure, Planning and Logistics (DIPL)

Transport Infrastructure Planning Division

Transport Planning Policy & Reform

Road Safety

Transport Services

Appropriate Local Council representative where relevant (DARWIN CITY COUNCIL)

#### **GOVERNING RULES;**

All meetings to be minuted and minutes shared with respective attendees.

All meetings are held “in-confidence” and personal identifying material relating to victims shall not be distributed outside of the meeting group.

Identified factors and treatment options are not an admission of guilt or liability, they are simply risks that have been identified and that should, in the opinion of the group, be treated or investigated further to mitigate the risk of future crashes.

Experts may be called to address the group if there are specific risks the group feel need to be further explored before treatment options are offered.

The Major Crash Investigation Unit reported to the Working Group that the location of this crash has been marked for concern, noting the following factors “4 lane highway, large median, insufficient lighting, unsocial behaviour and new fast food outlet.”

A road safety audit was conducted on the Stuart Highway in the vicinity of the Darwin Sobering Up Shelter.

In February 2026 Aftab Abro, Principal Traffic Engineer, DLI (formerly DIPL) advised that:

*“We have funding to deliver an Intelligent Transport System on the Stuart Highway at Lagoon Road intersection to improve pedestrian safety. Tender for the works has been awarded.”*

*“The Intelligent Transport System shall dynamically detect pedestrians in the traffic lanes, median and verges within a defined zone, and provide advance warning to approaching motorists through lowering speed limits using variable speed signs (VSL). Lidars will be used to detect pedestrians.*

*CCTV cameras will also be installed. Any street lighting within the limit of works that is not currently LED will be upgraded to LED as a part of the project.”*

These measures, while no doubt helpful for safety of pedestrians at the intersection of Lagoon Road (which is possibly where the new fast food outlet is located) do not seemingly address the risk to pedestrians departing or attending the DSUS, namely, the intersections of Tivendale Road, the Stuart Highway and Thorak Road. I will therefore make a recommendation to address the specific concerns raised by this death.

**Recommendation:**

1. I recommend that the Department of Infrastructure and Logistics (DLI) within 12 months take all steps necessary to improve pedestrian safety in the vicinity of the Darwin Sobering Up Shelter including on Tivendale Road, Wongabilla Street, the Stuart Highway, Thorak Road and bus stops in that location, with special attention given to the intersections of Tivendale Road and Thorak Road with the Stuart Highway. The improvements should include but are not limited to: a review of the speed limit in combination with improved lighting to ensure vehicles travelling at the speed limit have an opportunity to see and avoid pedestrians; the installation of an Intelligent Transport System; and/or any other safety measures necessary to improve pedestrian safety and to alert drivers to the presence or likelihood of pedestrians.

**Decision not to hold an inquest:**

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