



CORONERS COURT OF QUEENSLAND

FINDINGS OF INVESTIGATION

CITATION: **Non-inquest findings into the death of Van Phuc Nguyen**

TITLE OF COURT: Coroners Court

JURISDICTION: BRISBANE

DATE: 05/11/2018

FILE NO(s): 2016/2094

FINDINGS OF: John Lock, Deputy State Coroner

CATCHWORDS: CORONERS: Motor vehicle crash, hit and run, vehicle and driver not identified

Table of Contents

Background	1
Autopsy examination	1
Police investigation.....	1
Other enquiries.....	2
Conclusions.....	5
Findings required by s. 45	5

Background

1. Van Phuc Nguyen was born on 10 March 1966 and was 50 years of age at the time of his death on 24 May 2016 at Shelduck Street, Inala. He died of injuries resulting from him being hit by an unknown motor vehicle whilst he was a pedestrian.
2. On 24 May 2016 at approximately 8:15pm, an unknown vehicle collided with Mr Nguyen who was walking home from the Inala Civic Centre on Inala Avenue, Inala after shopping for groceries. Mr Nguyen was walking to his home address at 19 Lorikeet Street, Inala.
3. The unknown motor vehicle was believed to be driving along Shelduck Street, Inala in a southerly direction and struck Mr Nguyen who was immediately thrown approximately 15 metres. Mr Nguyen's head hit the gutter, causing fatal injuries from which he died. The unknown vehicle and driver fled the scene.
4. Police attended from Inala Station at approximately 8:27pm in the company of QAS. Mr Nguyen was pronounced deceased. Significant injuries to Mr Nguyen's head, torso and feet were observed.

Autopsy examination

5. The post-mortem examination showed injuries consistent with Mr Nguyen having been a pedestrian struck by a motor vehicle mainly on the right side and subsequently being landed possibly face down on the ground.
6. The contact points were at the level of the knees and possibly the back of the left buttock area. Ground impact injuries were on the front of the head/face mainly on the right side and on the limbs and hip.
7. Major internal injuries were those of the head as confirmed by neuropathology and post mortem CT scan. There were multiple skull fractures including basal ring fracture, brainstem laceration, subarachnoid haemorrhage and parenchymal brain injury. In addition, there was evidence of blood in relation as a result of head injuries.
8. There were injuries of the cervical and thoracic spine without spinal cord damage, as well as relatively minor liver and right kidney lacerations.
9. There was no evidence of significant natural disease process that would have contributed to death.
10. Alcohol and common drugs were not detected on toxicology analysis.
11. The cause of death was considered to be due to head injuries as a result of a motor vehicle collision (pedestrian).

Police investigation

12. The Forensic Crash Unit and Acacia Ridge Criminal Investigation Branch attended the scene. Witnesses stated they heard an extremely loud bang and came outside to observe Mr Nguyen on the ground. A witness told police that they believed the unknown motor vehicle was hooning as its engine was revved. The witness did not hear any braking. The only information they could give about the car was that it was a pale colour.

13. Enquiries were made at Mr Nguyen's home address, with no information able to be obtained about relatives.
14. The police investigation included searches on two SIM cards located in Mr Nguyen's mobile phone on the night of the crash. Checks of calls made from the phone were investigated, with one number having been called 48 times from 23 May 2016 at 0000 hours (0402 535 688). A further search revealed that this number was called on the night of the crash, commencing at 20:00:15 hours and lasting 15 minutes and 8 seconds, which police conclude means that the call ended at the time of the crash occurring. All attempts to contact this mobile phone number have failed as it consistently is busy.

Other enquiries

15. As a result of little information being obtained concerning the incident and despite extensive enquiries, the driver and vehicle involved being unknown, the Queensland Police Service issued a number of media releases and held a media conference on 28 July 2016.
16. Since the media conference on 28 July 2016, Crime Stoppers have received a number of phone calls about the fatal accident. Each of the calls has been investigated by police from the Forensic Crash Unit. Two motor vehicles connected to a person whose name was provided to Crime Stoppers were located and inspected by police and were ruled out as being involved in the accident.
17. A third vehicle reported as likely to have been involved was also inspected and the inspection failed to find any supporting evidence of the Crime Stoppers report. A fourth vehicle was also inspected and was found to be different from the one that police were looking for.
18. The next of kin was spoken to, to see whether or not she knew any of the phone numbers on the deceased's mobile phone, and she did not. Next of kin was also unable to provide details of a possible female friend spoken of by Mr Nguyen. Police were unable to access Mr Nguyen's Facebook page or anyone else linked to his Facebook page.
19. Enquiries were made with Optus, the phone provider for the mobile phone number to which Mr Nguyen was making numerous calls. Confirmation of any identification details was unable to be obtained and the phone in fact had not been used for a number of months. The phone number was earmarked for cancellation and reissue.
20. Police obtained phone calls between 19 May 2016 and 1 June 2016. During this period the mobile phone number was predominantly in the Plainland and Laidley area, and Mr Nguyen was talking to the phone at the time of the crash and the person in possession of the phone was in the Plainland area at the time. After the phone call, however, no further calls were made from the phone number, nor were any incoming phone calls accepted. All attempts by police to contact a number of phone numbers from calls from Vietnam were also unsuccessful. Police spoke with a person whose phone number was also listed on Mr Nguyen's phone and who had telephoned Mr Nguyen's number. This person ran a farm out at Laidley and knew Mr Nguyen who rang in looking for work. The person questioned did not recognise Mr Nguyen's number and could offer no information on why he rang it.

21. Police enquiries with the landlord of Mr Nguyen revealed that Mr Nguyen had only been living there for two weeks and he had not discussed his private life or any people relating to his life. A further search of numbers in Mr Nguyen's phone revealed no further information.
22. Police are satisfied that the person who was on the phone in the Plainland area speaking to Mr Nguyen on the night was obviously not directly involved with the incident, although they have expressed concern that there were no further attempts by the person to contact Mr Nguyen or anybody else given that it is considered highly likely that the person to whom Mr Nguyen was speaking would have heard the impact of the motor vehicle.
23. Enquiries of police were able to ascertain that parts found by police after the incident indicated to a spare parts industry 'expert' that the broken pieces matched a 1989-1996 Toyota commercial vehicle grille from a 2WD Hilux in that era. This person later found a grille from a RN85R and perfectly matched the parts to that grille. Police have continued to check on the 1988-1996 Toyota Hilux's registered in Inala, Ellen Grove, Doolandella and Forest Lake. None of the vehicles searched on this occasion (9 August 2016) exhibited any damage consistent with the hit and run incident. Seventeen previous vehicles examined on 12 June 2016 also were not related to the incident.
24. The Forensic Crash Unit report indicated there was a general lack of physical evidence on the road and grassed edging at the location of the incident, which occurred outside 55 and 57 Shelduck Street, Inala, just past the left turn lane from Pimlico Street. There are no lane markings at the incident location, which is a residential street catering for one lane of traffic in each direction. The street is bordered by raised concrete edging and runs in a general north-south direction. A quantity of groceries was seen in the vicinity of the incident. A Woolworths receipt indicated that the groceries were paid for at 19:59 hours. Other items found at the area included personal belongings of the deceased and two plastic car parts. The only other evidence located on the road was a single curved tyre friction mark which was old and not related to this incident.
25. A closer inspection of the two plastic car parts failed to indicate a make or model of the vehicle involved. One piece appeared to be black and grey in colour whilst the other appeared to be cream in colour. Both appeared to be from recent damage to the front of the vehicle and related to this incident given the close proximity to Mr Nguyen. A thorough search conducted along the scene in an attempt to locate the area of impact between the vehicle and Mr Nguyen could not be located. The area of impact could not be found but was thought to be located close to where the groceries were located.
26. There were no direct witnesses to the actual incident.
27. Witnesses who were alerted to the incident confirm that the vehicle in question was coming from Inala and heading towards Forest Lake because of the noise and the speed. The motor vehicle was moving very quickly. The vehicle was described as being larger than a small car but smaller than a cargo van or truck. The driver was not able to be seen and witnesses could not tell if there were passengers. There were no other vehicles travelling on the road and no other vehicles parked on the road.
28. CCTV was examined and whilst of a good quality, it was unable to provide clear identification of vehicle makes and models which Mr Nguyen is seen walking past as shown in cameras from Your Choice Tyre and Mechanical on the corner of Wirraway Parade and Partridge Street. The CCTV does show Mr Nguyen speaking on his phone at 20:07:43 hours, disappearing from view at 20:08:00 hours. CCTV did not assist

police in considering any vehicle seen on the CCTV to be the subject vehicle, which are at best described as 'unknown sedan', 'unknown white sedan', 'a hatchback or similar shaped vehicle driving past'.

29. Information obtained in relation to the grille part also included a 1988-2004 Toyota Hilux/4 Runner, 1997-2006 Toyota Hilux, 1988-2004 Toyota Hilux 2WD, or a 1996-2004 Toyota Townace/Liteace/Spacia.
30. Enquiries were conducted with a number of local wreckers and second hand car yards to ascertain a more specific make and model. Finally, at All Jap Auto Parts it was confirmed the parts were definitely from a Toyota Hilux, and the director provided a similar grille to a Toyota Hilux which had the same parts and was a consistent match with the parts left at the scene on the night of the incident. It also appeared to be similar to the marks on the buttocks of the deceased.
31. Police continued to search for Toyota Hilux's to which this particular grille was fitted and narrowed it down to the years 1989-1996 and 1997-2005. Searches were done for both registered and cancelled vehicles within the Inala and surrounding area given the location where the crash occurred. Doorknocks were then conducted at the addresses of these vehicles to try and locate the vehicle involved. It became apparent that the grille fitted to Toyota Hilux's from 1997-2005 differed to the one obtained from the wreckers and the parts located at the scene did not match these grilles, and so these vehicles were discounted.
32. Police also sent a flyer which was distributed to officers on the south side of Brisbane and Ipswich area on 3 June 2016 to ensure that local police were aware of the type of vehicle possibly involved in the incident. In the meantime attempts were made to identify the tyre imprint located on the clothing of the deceased. Enquires with a number of tyre dealerships failed to identify the model of tyre although it was a light commercial type tyre.
33. Police were referred to a tyre engineer to try and establish its make and model, but the tyre engineer was unable to identify a make and model of a tyre from the images provided. The engineer then took images to a conference of similar engineers from around Australia and Melbourne and they also failed to identify the make or model of tyre, except confirming it appeared to be from a light commercial type tyre. This type of tyre is commonly fitted to Toyota Hilux's and appeared to support the type of vehicle involved.
34. Police also conducted stationary and mobile patrols at the intersection of Wirraway Parade and Partridge Street and in the surrounding streets on Tuesday 7 June 2016. It was thought the vehicle may frequent the area on a Tuesday night. Police did intercept a Toyota Hilux in the surrounding area that matched the vehicle believed to be involved, but it was ruled out as not being related. The patrols failed to locate any vehicles involved in the incident.
35. Given that it is believed that the vehicle involved is a 1988-1997 Toyota Hilux, this vehicle does not appear to have driven past the CCTV location. It is therefore unknown where this vehicle has come from prior to impacting with the deceased. A further call for witnesses was run through the police media section and a continuation of doorknocks for vehicles registered in the area has occurred. All efforts to locate the driver and the vehicle involved have failed and there are no known investigations that can be carried out.

36. On 10 June 2018 police received a further Crime Stoppers call from a person who wished to remain anonymous. That person gave the name of another driver of a vehicle believed to be a white Holden Rodeo as a potential person of interest.
37. Police subsequently investigated with vehicle and interviewed a number of persons. The vehicle was located in Roma and police attended and took photographs and statements. Police conducted a comparison of the front grill fitted to the Rodeo and it appeared completely intact and the cross members appeared wider than the one that police were seeking.
38. A comparison was also made between the tyres fitted to the Rodeo and the Tyre imprint located on Mr Nguyen at the time of his autopsy. Police also obtained a new tyre for comparison purposes. In both instances although there were some similarities between the treating pattern located on Mr Nguyen's trousers and the tyres did not appear to be a conclusive match. The tyres were made in China and were commonly used for light commercial vehicles.
39. As a result of the latest investigation no conclusive evidence has been obtained.

Conclusions

40. Van Phuc Nguyen has died from injuries as a result of a hit and run motor vehicle collision that occurred on 24 May 2016.
41. Queensland Police Service have conducted extensive and comprehensive investigations in an effort to identify the motor vehicle and/or driver of the vehicle that has caused the death. To date this has been unsuccessful.
42. These findings are being published in the public interest and with approval from family in the hope they may prompt persons who may very well know of this case and who the driver is and provide this information or any other information they have knowledge of directly to the police or through Crime Stoppers.

Findings required by s. 45

Identity of the deceased:	Van Phuc Nguyen
How he died:	Van Phuc Nguyen has died from injuries as a result of a hit and run motor vehicle collision that occurred on 24 May 2016. Queensland Police Service have conducted extensive and comprehensive investigations in an effort to identify the motor vehicle and/or driver of the vehicle that has caused the death. To date this has been unsuccessful.
Place of death:	Shelduck Street INALA QLD 4077 AUSTRALIA
Date of death:	24 May 2016
Cause of death:	Head injuries as a result of a motor vehicle collision (pedestrian).

I close the investigations.

John Lock
Deputy State Coroner
CORONERS COURT OF QUEENSLAND
05 November 2018