



CORONERS COURT OF QUEENSLAND

FINDINGS OF INQUEST

CITATION: Inquest into the death of Paige Erin Jones

TITLE OF COURT: Coroners Court

JURISDICTION: Gympie

FILE NO(s): 2018/2962

DELIVERED ON: 6 March 2020

DELIVERED AT: Gympie

HEARING DATE(s): 3-5 March 2020

FINDINGS OF: John Lock, Deputy State Coroner

CATCHWORDS: Coroners: inquest, motorcycle crash, identity of rider and passenger, recommendations, referrals.

REPRESENTATION:

Counsel Assisting: Ms A Martens

Counsel for QPS officers: Mr T Schmidt i/b Gilshenan & Luton

**Counsel for
Commissioner for Police:** Ms B Kennedy, QPS Legal Service

Counsel for Tyson White: Mr A Bale, solicitor AW Bale & Son

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Introduction

1. Paige Erin Jones was aged 30 at the time of her death on Tuesday 3 July 2018. Her death was due to serious chest and abdominal injuries that occurred as a result of a motorcycle crash near the Old Bruce Highway (north Bound) and Mary Valley Link Road, Coles Creek. She died at the scene. There were two people on the motorcycle at the time, which appears to have skidded off the road and into an embankment on the side of the road.
2. The other person on the motorcycle was Tyson Daniel White who was in a relationship with Ms Jones.
3. Mr White stated to police that he was a pillion passenger on the motorcycle at the time it crashed. As well, a witness Donald Macaulay provided a statement to police to the effect that on the day in question Ms Jones was seen to be riding the motorcycle and Mr White was the passenger when he saw them at about 4:30 PM leaving his property.
4. There was however conflicting and inconsistent information provided by Mr White and other suspicious behaviour on his behalf, which caused police to have some doubt as to the veracity of his statements. Police noted that he first made contact with his friend and witness Mr Macaulay prior to contacting 000.
5. Ms Jones was a slim woman weighing 55 kg. Mr White by comparison weighed in excess of 100 kg. Ms Jones' mother, Kerry Flavel told police that Ms Jones had a fear of riding motorcycles and had no previous experience of riding motorcycles.
6. CCTV footage of 3 July 2018 was obtained showing a motorcycle the police considered likely to be the one involved in the incident. The footage appears to show a large rider and a smaller pillion passenger, although the quality and clarity of the footage is poor.
7. Accordingly a decision was made to hold an inquest to forensically examine the whole of the evidence that had been collected through the investigation conducted by the Forensic Crash Unit.
8. The issues for the inquest were determined as follows:
 - I. The findings required by section 45(2) of the *Coroners Act 2003*; namely the identity of the deceased, when, where and how she died and what caused her death.
 - II. The circumstances surrounding the death of Paige Erin Jones in a motorcycle accident at Old Bruce Highway (approaching Mary Valley Link Road) in Coles Creek on 3 July 2018 and, in particular, whether Paige Jones was the rider or the passenger of the motorcycle at the time of her death.
 - III. The management of the crash scene, including the initial investigation by Queensland Police Service.

Autopsy results

9. A post-mortem examination was conducted on 10 July 2018 by Dr Rohan Samarasinghe. Dr Samarasinghe was also provided with the two helmets worn by Ms Jones and Mr White.
10. On his external examination, Dr Samarasinghe identified 11 scars.
11. Dr Samarasinghe noted that Ms Jones was 172cm, her weight was 55kg and her body mass index was 18.6kg/m².
12. CT scans showed:
 - Gas within the cranial cavity and spinal canal
 - No skull fractures or intracranial haemorrhage
 - Fluid in the paranasal sinuses
 - Surgical emphysema within the soft tissue of the neck, chest and abdomen
 - Right sided anterolateral rib fractures 2nd to 6th ribs
 - Possible undisplaced thoracic spinal fracture T6/T7 level
 - Severe bilateral hamopneumothorax more on the left
 - Possible splenic and liver lacerations
 - Gas in the peritoneal cavity
 - Haemorrhage in the posterior pelvis
 - Absence of pelvic and long bone fractures of the arms and legs
13. Dr Samarasinghe says that he observed a number of signs of recent injury during the external examination.
14. Dr Samarasinghe noted the following injuries during the internal examination:
 - When the scalp was reflected there was 1.5cm diameter area of scalp bruising on the left frontotemporal region superior to external injury number 1.
 - There was no areas of haemorrhage or bruising to Paige's face.
 - Subcutaneous dissection of the anterior chest confirmed internal soft tissue haemorrhage beneath the external chest injuries number 1 and 3. There were light subcutaneous tissue haemorrhages in association with some of the small discoid bruises described in the external chest injury number 4. Immediately inferior to the external chest injury number 4 there was an area of subcutaneous haemorrhages 1cm x 1cm.
 - There were areas of subcutaneous and muscle haemorrhages on the central upper back (6cm x 7cm) immediately inferior to the neck in the interscapular area (2cm x 2cm).
 - The thoracic spinal column showed an undisplaced fracture at T6/T7 level. Partial dissection of the thoracic spinal column showed no evidence of damage to the spinal cord at this level.
 - Right-sided antereolateral fractures of the 2nd to the 6th vertebra with associated haemorrhage in the intercostal muscles.
 - There was complete transection of the left main bronchus approximately 1.5cm distal to the bifurcation. There was associated haemorrhage in the posterior mediastinum.
 - There was 800ml of blood with clots in the left pleural cavity and 200ml of blood in the right pleural cavity. There was evidence of surgical emphysema in the mediastinum and the soft tissues of the chest wall. There was parietal pleural damage in association with the rib fractures on the right chest wall.

- The visceral pleural surface of the left lung showed an 8.5cm deep laceration between the upper and lower lobes. There were two lacerations on the lateral aspect of the right lung measuring 7cm and 1cm. On section, the parenchyma showed variable parenchymal haemorrhages including areas consistent with haemoaspiration particularly on the left.
 - The pericardium was widely damaged.
 - There was a complete transection of all attached great vessels of the heart including the ascending aorta approximately 1.5cm superior to the aortic valve. The rest of the heart was hanging from the mediastinum from a tissue tag from the right atrium. There was severe laceration of the atria and variable damage to the heart valves.
 - The mediastinum showed extensive haemorrhage posteriorly which was extending upward anterior to the cervical spine and upper thoracic spinal column.
 - The peritoneum was unremarkable and the peritoneal cavity contained approximately 15ml of blood.
 - The stomach contained approximately 150ml of cream coloured soup-like material in which no drug residues could be recognised.
 - The small bowel, appendix and large bowel and mesentery were externally examined. There was variable haemorrhage particularly over the serosal aspect of the upper section of the ascending colon and proximal section of the transverse colon.
 - The liver showed multiple linear subcapsular lacerations over the superior and lateral aspect of the right lobe over an area of 16cm x 4cm. The lacerations ranged in size from 1cm to 7cm.
 - The spleen showed multiple capsular lacerations over the hilar aspect over an area of 7cm x 5cm. There were also two anterior lacerations measuring 1cm and 3cm in maximum extent.
 - The retroperitoneum showed areas of surgical emphysema. There was a posterior retroperitoneal haemorrhage superior to the pelvis. There was also an area of retroperitoneal haemorrhage inferior to the liver.
15. Toxicology results from Ms Jones' femoral blood sample (taken after her death) revealed that Ms Jones had no alcohol however had 0.06mg/kg of amphetamine and 0.21mg/kg of methylamphetamine. Dr Samarasinghe noted that methylamphetamine overlapped the documented toxic and lethal range however '*chronic users could tolerate higher doses due to increased tolerance*'.
16. Dr Samarasinghe concluded that Ms Jones had '*relatively minimal external soft tissue injuries despite having severe internal chest and abdominal injuries. The internal injuries included severe lacerations of the heart and the attached great vessels including aorta. Other significant pathologies were transected left bronchus, severe haemopneumothoraces (blood in the pleural cavities), right-sided rib fractures, surgical emphysema (air leaked into the soft tissue), thoracic spinal injury, liver and splenic lacerations and retroperitoneal haemorrhage.*'
17. There were no '*suspicious injuries*'.
18. Dr Samarasinghe opined that the cause of death was due to chest and abdominal injuries consistent with Ms Jones suffering a heavy blunt impact to the right chest. Dr Samarasinghe indicated that it was not possible from the autopsy examination to determine if Ms Jones was the rider or the pillion passenger.

Clinical Forensic Medicine Unit - review of toxicology results

19. Dr Natalie MacCormick of the Clinical Forensic Medicine Unit (CFMU) was requested to give an opinion as to the toxicology analysis reports received in relation to Ms Jones for blood taken at autopsy and Mr White for blood taken at Gympie Hospital on the night of the crash. In relation to both, amphetamine and methamphetamine was found.
20. Dr MacCormick noted that methamphetamine and amphetamine belong to the same family of drugs and have a stimulatory effect on the central nervous system. Methamphetamine is not legally available in Australia and is available in powder, pill and crystal form and can be administered intravenously, orally, by nasal insufflation and inhaled as vapour or smoke. Methamphetamine is metabolised to its active metabolite amphetamine.
21. With chronic abuse, methamphetamine is associated with significant tolerance, requiring increasingly larger doses to obtain the same effects. Pharmacological effects vary substantially depending upon the dose and pattern of use. Whilst low “therapeutic doses” may result in the onset of fatigue, increased alertness and appetite suppression; high chronic dosing is more typical amongst recreational users and results in markedly different effects. These initially include euphoria, extreme wakefulness, intense exhilaration, hyperactivity, increased self-esteem and sexual arousal. This progresses to dysphoria, anxiety, irritability, agitation, distraction, confusion and paranoia. Motor effects may include stereotypical movements of the face and jaw, fidgeting, scratching, inability to keep still, and other repetitive obsessive behaviours.
22. The effects of withdrawal can include overwhelming fatigue, uncontrollable sleepiness, psychomotor retardation or agitation, insomnia or hypersomnia, poor concentration, paranoia, anxiety and depression. The effects of withdrawal may continue for more than a day and can be associated with very low methamphetamine blood levels. Therefore, even very low blood levels can be associated with significant impairment.
23. Toxic levels can vary greatly depending on an individual’s tolerance. In a five year audit of cases handled at the CFMU involving individuals driving under the influence of methamphetamine, a blood level of 3.6 mg/kg was observed in an individual who appeared to have few signs of intoxication.
24. The interpretation of blood levels of methamphetamine and amphetamine is problematic. Neither the phase of intoxication nor the degree of impairment can be predicted by blood levels alone.
25. A certificate of analysis for Ms Jones in relation to post-mortem femoral blood was as follows:–
 - Amphetamine 0.06 mg/kg
 - Methamphetamine 0.21 mg/kg
 - Alcohol not detected
26. A certificate of analysis for Mr White in relation to blood collected at the Gympie Hospital at 20:43 hours on 3 July 2018 was as follows:–

- Amphetamine 0.02 mg/kg
 - Methamphetamine 0.46 mg/kg
 - Celecoxib 0.14 mg/kg
 - Alcohol not detected
27. Dr MacCormick opined the celecoxib level of 0.14 mg/kg was relatively low and would not have caused any adverse effects on driving ability.
 28. Dr MacCormick stated the effects of methamphetamine levels of 0.21 mg/kg and 0.46 mg/kg can be extremely variable depending on an individual's tolerance, and the size and timing of the dose. An individual may display the effects of central nervous stimulation ranging from increased alertness through to hyperactivity, irritability, agitation, impulsivity and increased risk-taking; alternatively, they may be withdrawing and experiencing central nervous system depression with excessive fatigue, sleepiness and depressed mood; and in some isolated instances they may show no obvious signs of intoxication or withdrawal. Driving impairment can occur during the intoxication phase as well as the withdrawal phase, and often there is some overlap between the phases.
 29. Dr MacCormick opined that in the absence of indicia (signs of intoxication) it is difficult to determine with certainty whether Ms Jones would have exhibited driving impairment at a level of 0.21 mg/kg. Whilst a level of 0.21 mg/kg is within the range observed in 'Driving under the Influence of a Drug' (DUID) cases reviewed by the CFMU, it is below the average level of 0.35 mg/kg.
 30. Dr MacCormick stated Mr White's amphetamine level of 0.46 mg/kg was reasonably high, and above the average level observed in DUID cases reviewed by the CFMU. However, it remains difficult to determine with certainty whether Mr White was impaired with this level of methamphetamine in the absence of indicia.
 31. Dr MacCormick gave some further clarification about post- mortem redistribution processes. Heart/femoral blood concentration ratios give an indication of how much a drug's blood concentration is affected by post-mortem processes. Some drugs will be more affected than others by these processes. Collection of femoral blood samples will reduce the impact of post-mortem redistribution due to the distance from the central cavities, but it will not completely eliminate it.
 32. The heart/femoral blood concentrations are generally presented as a ratio, that is femoral blood to heart blood (femoral:heart). Dr MacCormick referenced the ratios described in three different studies, indicating that average ratios range between 1:1.6 and 1:2.1. Therefore, post-mortem heart blood can average up to about twice the concentration of post-mortem femoral blood.
 33. In a specimen that is collected seven days post-mortem, even a femoral sample can be affected by post-mortem redistribution. Therefore, the blood concentration needs to be interpreted with caution. These ratios are only really useful to indicate the direction of redistribution and give an idea of the drug's tendency to move between tissues. Unfortunately, the antemortem blood concentration cannot be estimated by using the heart/femoral blood concentration ratios. It is possible that the methamphetamine level was less than 0.21mg/kg, but Dr MacCormick was unable to be more specific than that.

34. Despite this, the conclusion remains the same. The interpretation of methamphetamine blood levels is problematic in both antemortem and post-mortem cases due to the significant variation between individual's in terms of tolerance, pattern of use, timing and size of dose.

Personal History

35. Kerry Flavel, Ms Jones' mother provided her concerns and some background history to the court initially and gave evidence at the inquest.
36. Ms Jones had been married and she had two daughters. In 2012 the family was involved in a truck accident and one daughter died. The family were living in South Australia at the time. They moved to Bundaberg in 2013.
37. There were difficulties in the marriage and they separated. Ms Jones was sharing custody of her surviving daughter with her husband.
38. Ms Jones formed a relationship with Mr White and this resulted in difficulties in the custody arrangements. This was said to have continued.
39. It is fair to say Ms Flavel did not like Mr White and the effect the relationship had on her daughter. Ms Flavel understood they may have become engaged.
40. Ms Flavel expressed a number of concerns about Mr White and his behaviour towards Ms Jones. At one point Ms Jones cut off contact with her mother for some months and she did not know where Ms Jones was living. Some of the family thought Ms Jones was using drugs and she quit her employment. It is evident Ms Flavel and Ms Jones had resumed contact with each other.
41. On 6 July 2018, Ms Jones brother Daniel and mother Kerry Flavel attended the Gympie Police Station. Ms Flavel advised DSC M Rose that Ms Jones had a lifelong intense fear of motorcycles. She believed her daughter had ridden as a pillion passenger with Mr White a few times however she would not ride the motorbike. Ms Flavel also said that Ms Jones weighed 50kgs and Mr White weighed 113kgs and Ms Jones would not have been capable of holding the motorcycle up and she did not know how to ride a motorbike. Ms Flavel also indicated Ms Jones did not hold a motorcycle licence and would not have risked her licence in that way.
42. Ms Flavel told the inquest Ms Jones did enjoy being a passenger on the motorcycle. She said her daughter was learning to ride the quad bike but on the basis of what she had said to her Ms Jones was stressed out about even riding the quad bike.

The evidence from the investigations and inquest

Circumstances leading to Paige Jones' Death

43. Documents produced at the inquest confirm Mr White was the registered owner of the motorcycle. It is also evident the motorcycle in question had been purchased by Mr White on 11 June 2018. Mr White stated at the scene he was the passenger on the motorcycle at the time of the crash. The crash was

- unwitnessed. After receiving legal advice he declined to provide police with a statement but did later provide a statement which is referred to in these findings.
44. Donald Macaulay knows Mr White. He provided a statement saying that Mr White and Ms Jones arrived at his address at Imbil during the afternoon of 3 July 2018 and left at about 4:30 PM. Mr Macaulay states they arrived unexpectedly and he came out of his house and he saw Ms Jones sitting on the motorbike and Mr White standing beside the bike both wearing helmets. In his evidence at the inquest he said Mr White was standing at the rider's position of the motorbike and Ms Jones was on the back getting off. They stayed a short while to print some documents. He said in evidence he thinks they may have been divorce documents for Ms Jones. He does not recall where they were put after printing and does not recall reference to a blue backpack being present. He agreed if there is reference to a blue backpack in his interviews on the night that these would be accurate. Mr Macaulay made direct reference to a blue backpack in his interview recorded by Constable Grandemange. It is fair to say what happened to the blue backpack, which was presumably at the scene at some point is a mystery.
 45. Prior to the couple leaving Mr Macaulay says they indicated they were going to ride out to Borumba Dam because Ms Jones had not been there before, and then return to Gympie. When they left Mr Macaulay says Mr White pushed the bike around onto the patio to turn it around. At that point he says Ms Jones jumped on the bike as the rider and Mr White as the rear passenger. In evidence at the inquest Mr Macaulay said at one point the motor was revved very loudly. He said Mr White started it and revved it up, probably showing off. When he brought it to the front the motor was not running. He says Mr White got on the pillion side with his feet on the ground and Ms Jones got on. Mr Macaulay says there was no way Ms Jones at a weight of 50 kg could keep the bike up on her own. She then started the motor. Mr White's seating position meant he was way above her. He says the bike moved onto the road and Ms Jones had no trouble handling the bike.
 46. Matthew Kuhn lived near Mr Macaulay in Diggings Road. Mr Kuhn had spoken to Imbil Police shortly after the incident and initially did not wish to provide a written statement. He later agreed to do so. Mr Kuhn said in evidence he lived about 50 metres away from the Macaulay residence and had a clear view of it.
 47. In a statement he gave to police some eight months after the crash, he stated that he recalls a Sunday afternoon in 2018. He said that around 4:30 PM. he was watching football on television and heard a really loud motorbike come down the street. In evidence he said the time he gave was a bit of an estimate but it was around that time. He looked through the window and saw a black road motorbike, which had two persons on it. The motorbike went to Don Macaulay's house. He thought the persons from the bike were a male and female because there was a significant size difference between the two. He thought the male person was the rider. They were both wearing riding helmets. The male person wearing a helmet was sitting on the motorbike and a female was standing beside the motorbike. In his evidence he was clear it was the bigger person who was riding the motorcycle when it arrived. Mr Kuhn recalls that about an hour later he heard the motorbike revving loudly in the direction of Don Macaulay's house.

He looked out the window and saw the same motorbike positioned on the driveway. He saw the male person sitting on the bike revving the engine. In his evidence he saw the motor bike being driven to the front on the driveway to Mr Macaulay's house. The female was standing beside the motorbike. He cannot recall if the female had a helmet on at this point but he remembers she had blonde hair. He did not see the bike leave or who was riding it. Shortly afterwards he heard the bike leave and it was pretty loud, which made him think the bike was travelling quickly. In his evidence he says the motorcycle was heading away from the direction of Borumba Dam towards the butcher where it slowed. This was a distance of 200 to 250 metres and only took a couple of seconds to get there.

48. The following day he remembers watching the news and saw a motorbike, which he thought looked like the one he had seen at Mr Macaulay's house.
49. It is evident Mr Kuhn is mistaken when he refers to the day being a Sunday afternoon, but the day is clearly linked to the news he watched the following day showing a similar motorbike. I am confident Mr Kuhn is speaking about the same incident.
50. Dorothy Adams who also resided at Diggings Road recalls hearing a motorcycle at Mr Macaulay's address on the day of the incident revving loudly but she did not see the persons involved or who was riding.
51. Beverly Child also lived at Diggings Road but does not recall seeing or hearing a motorcycle but recalls speaking to Mr Macaulay the following day when he told her he had received a telephone call from a friend to 'get here now' and he took off and believes that the people were going out to Borumba Dam after they left Mr Macaulay.
52. Mr Macaulay says in his statement that he received a phone call from (04---188) to his mobile phone (04---025) at 1746 hours. He told Constable Bryce Grandemange he received the telephone call at 17:47 hours. Mr Macaulay says he did not recognise this number and it was not the contact number for Mr White that he had saved in his contact directory. In his evidence at the inquest Mr Macaulay said the number was in his contacts. Mr White was on the phone and he sounded '*stressed and panicked*'. Mr White said '*get here get here*'. Mr Macaulay asked where he was. Mr White told Mr Macaulay he was at the Kybong roundabout. Mr Macaulay knew where this was.
53. Queensland Ambulance Service (QAS) records indicate a 000 call was received from mobile phone (04---188) at 17:53 hours however the Incident Detail Report (IDR) indicates the call was made at 17:52 hours and 9 seconds but was then in the waiting queue until 17:53 hours and 41 seconds. The caller's name was identified in the IDR as Daniel Hodgson. The 000 call recording does not include the start of the call where the caller identifies themselves.
54. Mr Macaulay then drove to the area and when he pulled up he saw Mr White doing CPR with chest compressions. He went down to help Mr White. He noticed one motorbike helmet beside the motorbike but could not see the other helmet. Mr White asked him to take over CPR. He said "I'm fucked". Mr Macaulay says he started doing compressions and checked for a pulse but

could not find any. Whilst he was doing this Mr White was standing behind him and he heard Mr White speaking with emergency services on 000.

55. Mr Macaulay continued to do CPR until ambulance officers arrived. He recalls trying to calm Mr White down. He recalls Mr White saying he needed to get his solicitor here. Mr Macaulay says he told him that it was not the done thing at this time and he just needed to comply with what police had asked him to do.

000 Call

56. The 000 call is harrowing to listen to. The caller, presumably Mr White, sounds panicked and significantly distressed. He advises that he has been giving CPR and he did not think it was working. Mr White advises that the female has come off the motorcycle. He confirms there was no collision with another vehicle. Throughout the audio recording Mr White is screaming, crying and yelling 'cmon', 'please god', 'make her live' etc. At another point Mr White can be heard vomiting. During the recording, at a point where Mr White sounds incredibly distressed, the call taker says 'is it Daniel?' and Mr White responds 'yes'. The call taker then refers to him as Daniel a number of times.
57. The IDR at 1756 hours says that the informant states he has come across a patient in ditch. The 000 call has Mr White saying a female has come off a motorbike.
58. At 1800 hours, the IDR records information querying the location of the crash site and whether it was the new or old Bruce Highway.
59. At 1801 hours, the IDR records that the caller was highly emotional, currently vomiting, unknown if compressions are being conducted effectively.
60. On the 000 call, it is possible to hear Mr White screaming at someone to stop. There is then another voice heard. This voice matches the voice in the body worn camera footage of Stuart Meredith.
61. At 1804 hours, the IDR records a second person on the scene assisting with CPR and the 000 call taker was trying to get better location details of the second person.
62. Stuart Meredith provided a verbal statement to police which is recorded in a police notebook and on body worn camera footage. Mr Meredith says that when he arrived there was a female lying on the grass and a male lying on the grass. The male sat up and tried to give the female [CPR however he then laid back down. The male person was said to be 'freaking out' and on the phone to 000. Mr Meredith returned to his car to put his hazard lights on. The male person went towards Mr Meredith's car and said 'takeover I can't do anymore'. They went back towards Ms Jones but then the male person went up back towards Mr Meredith's car and was trying to give directions however he was wrong. The phone was on speaker phone so Mr Meredith gave further directions. This is confirmed in the audio from the 000 call – there are a number of attempts to clarify the location with Mr Meredith. It would appear that the 000 call taker was unfamiliar with the area and unable to locate the specific spot despite instructions from Mr Meredith.
63. The 000 call includes a number of references from Mr White about why the ambulance was taking so long and they were only a short distance away.

64. At 1805, 1807 and 1809 hours there are a series of entries regarding the location of the crash and providing further details including verifying the site by latitude and longitude.
65. At 1812 hours a female caller contacted QAS on mobile phone (04---412) and then hung up. QAS returned the call and left a voicemail. The IDR records that the location of this caller was in the same location as the crash site so it was considered to be a duplicate call so no further steps were taken.
66. Mr Meredith says that a couple arrived and asked if he was alright. The female took over CPR as she said she was qualified to provide CPR. Mr Meredith says that the couple asked what happened however Mr White did not say.
67. Mr Macaulay told Constable Grandemange that when he arrived Mr White was doing CPR on Ms Jones and asked him to take over. Donald Macaulay says there were by-standers present who had been assisting to provide CPR. In his statement, Donald Macaulay says there were two males and a female.
68. Mr Meredith says that a man in a white dual cab utility arrived and pushed everyone out of the way and took over performing CPR. As soon as ambulance officers attended Mr Meredith gave evidence that the man who was there when he arrived told him and the couple they could go now. The lady and the man left soon after but Mr Meredith stayed to speak to the police.
69. Mr Meredith did not hear anything from Mr White about what had happened. He assumed he had been on the motorbike as when he arrived there was no other vehicle present. He said Mr White was frantic and huffing and puffing but did not appear to be injured. He had heard from someone (not Mr White) that the male had been on the back of the bike, which he did not think was common sense given the differences in sizes of the couple.
70. Mr White asked Mr Macaulay to take over CPR and said '*I'm fucked*'. They swapped positions. Mr Macaulay was unable to find a pulse. He started doing chest compressions and attempted to blow in Ms Jones mouth. Ms Jones mouth was filled with blood. Mr Macaulay placed Ms Jones in the recovery position and checked her mouth for obstructions but was unable to find any. He continued to perform CPR.
71. Mr Macaulay says that he overheard Mr White speaking to 000.
72. Paramedics '*initially had a little difficulty determining exactly where the crash occurred*'. They arrived on scene at 1812 hours. Mr Macaulay says that they arrived approximately five minutes after his arrival. Mr Meredith says the paramedics arrived approximately two minutes after Mr Macaulay's arrival and the couple left at this time.

First responders

73. The arrival of paramedics can be heard at the conclusion of the 000 call. A female paramedic says '*did you see what happened, saw her come off the bike*' and Mr White is heard to say frantically '*yes yes yes*', interrupting the questions that were being asked. The paramedic asks how long ago and Mr White says '*22 minutes, 25 minutes*'. In listening to the recording I accept it cannot be said with any certainty Mr White's response was directed to the question of the

- paramedic. It may be that it was at this point the initial confusion as to Mr White's part in the incident came into play.
74. Advanced Care Paramedic (ACP) Laura Bear and ACP Stephen Horne were tasked to attend a motorcycle crash at about 5:53 PM. on 3 July 2018. They arrived at the scene at 6:12 PM. A dark coloured motorcycle was in a roadside ditch off the western side of the roadway with a female person near the motorcycle and bystanders performing CPR. There were two male persons present. One was an older person and the other she thought was his son who was tall and overweight and about 35–40 years old.
 75. The older male person was doing ineffective CPR. She spoke to both of the male persons to get an idea of what occurred. She recalls the older male person stating he had seen her come into the roundabout too fast and lose control and landed in the ditch. The younger male person was very quiet the whole time.
 76. ACP Bear and her partner took over the care. ACP Bear recalls that during her treatment she reports she was getting bits of information in relation to the crash. She does not recall who told her but does not think she received any information from the younger male person.
 77. It became clear to the paramedics that Ms Jones was showing no signs of life and at 6:32 PM they ceased treatment and declared her life extinct.
 78. The electronic Ambulance Report Form (eARF) recorded by ACP Bear that evening states *'met by 2 male bystanders who state pt was witnessed coming off motorcycle at high speed. Bystander doing ineffective CPR on QAS arrival on female pt located in ditch on side of road, helmet had been removed by bystander. Ineffective CPR performed for approx. 15 mins prior to QAS arrival. Initially witness stated pt was sole rider of bike, witness later admitted that he was also on bike pillion passenger'*.
 79. During this period of resuscitation ACP Bear says she remembers a Queensland Fire and Emergency Services (QFES) officer saying that the younger male person had actually been on the back of the motorbike when it crashed. She initially did not believe this as he showed no signs of any discomfort or injury. There was also only one helmet at the scene and no mention of him being on the motorcycle. The QFES officer came back and said the younger male person, who she now knows was Mr White, was definitely on the motorcycle at the time. She told him there was only one helmet present. The QFES officer went away and came back with another helmet that he said he had found over in the ditch.
 80. At this point in time Mr White was complaining about abdominal and shoulder pain and ACP Horne commenced treating him. ACP Horne approached ACP Bear and advised that Mr White was complaining about abdominal and shoulder pain and ACP Horne was going to examine him in the ambulance. The IDR records that the pillion passenger was being assessed at 1837 hours. The first observations of Mr White were undertaken at 1840 hours. Relevantly, observations at 1840 hours and 1900 hours recorded Mr White was 'mildly anxious' and then at 1915 hours and 1930 hours 'anxious distressed'.
 81. ACP Bear says she was present at the back of the ambulance when Mr White told ACP Horne that he was the pillion on the motorbike at the time of the crash.

ACP Bear did not hear him say how the crash actually happened or give any other information. ACP Horne recalls Mr White told him he was on the motorcycle at the time of the crash and he was the pillion passenger. Mr White did not provide any information on how the crash happened.

82. ACP Horne says that Mr White had chest and potential underlying lung injuries and he complained about pain in the right side of his chest area, abdomen and minor pain in his left knee.
83. Later ACP Horne told ACP Bear that Mr White had said to him he was the pillion at the time of the crash.
84. ACP Bear remembers the incident was strange as Mr White did not appear emotional or upset. He was quiet and she saw him speaking on his mobile a few times. She does not recall him going over near to Ms Jones or asking her about her condition.
85. ACP Horne confirms he was present with ACP Bear. Ms Jones had an obvious flail chest and upper limb injuries and was unable to be resuscitated. He remembers two male persons being present. He remembers one male person was heavyset and maybe in his 50s. He remembers ACP Bear telling him that that the older male person had witnessed the crash and had been doing CPR until they arrived. ACP Horne stated that he was not 100% sure but he thinks this was a male person he now knows as Mr White as he treated him later in the evening. In his evidence at the inquest ACP Horne agreed it could have been the other male person and not Mr White who was doing CPR
86. ACP Horne further stated that after resuscitation was stopped he went over to Mr White to reassure him that he had done everything he could and remembers he seemed to be very unusually upset as if he knew Ms Jones.
87. Shortly after a police officer informed ACP Horne that Mr White was now stating he was a pillion on the motorcycle and at that time Mr White became another patient and ACP Horne went over to assess him further. Mr White stated he was on the motorcycle at the time and was adamant straight away he was the pillion. Mr White did not provide a version as to how the crash occurred.
88. ACP Horne took him over to the ambulance vehicle for further assessment. ACP Horne was quite suspicious of him because he had not volunteered this information initially and had told people he was a witness to the crash. ACP Horne noticed he did not have a helmet and he asked him what happened to it. ACP Horne said they normally look at helmets in motorcycle crashes as it forms part of the clinical assessment of potential injury mechanisms. Mr White told him he had thrown his helmet over an embankment and he indicated to the western side of the road.
89. On assessment ACP Horne considered that Mr White had chest and potential underlying lung injuries and he was complaining about pain in the right side of his chest, abdomen and minor pain in his left knee. He provided him intravenous fentanyl for pain relief and applied a cervical collar. They then transported him to the Gympie Hospital. He is aware that police and emergency staff spoke to Mr White while in hospital and he continued to insist he was the pillion.

90. ACP Horne prepared the eARF for Mr White's case. *38 y/o male. Pt states he was a pillion passenger on a motorcycle which left the road and crashed into an embankment (unknown speed) at approx 1745hrs. Pt initially performed CPR on the female rider for approx 20 mins prior to QAS arrival. ACP Horne cannot recall what questions he asked to elicit the response about "unknown speed" but he would have asked some questions but without any resolution.*
91. Firefighter Ryan Dubyk arrived at the scene after ambulance and police. They placed the fire truck in a manner that would help with lighting. He recalls a heavyset male person wearing jeans and a motorcycle jacket. He recalls this man was not distraught at all about what was happening. There was another older man he thought was his father but was told later they were close friend. He recalls he thought the younger man had been on the back of the motor bike and the female was the rider. He is not able to say who told him this. He recalls speaking to an older male person who was somehow involved with the other male from the motorcycle. He seemed more upset than the other person. Officer Dubyk found his demeanour odd. He repeated "help her help her" but he thought people in this position would be more hysterical. Officer Dubyk primary focus was on CPR and he helped QAS with resuscitation by taking over a bag-valve-mask. He states that after talking with police they told him that the male person on the motorcycle had thrown his helmet in the long grass. He and two other firefighters Putinja and Westlake searched up along the bank above the motorcycle crash scene and located a black motorcycle helmet in long grass above the motorcycle about 15 metres up a steep embankment. He considered this was a distance that the helmet could have been thrown to.
92. They did not touch the helmet but marked a spot on the path with a blue medical glove. Constable Grandemange says the helmet was located in the long grass embankment about six metres from Ms Jones' body. Senior Constable (SC) Steven O'Brien says that the helmet was about eight metres from where Ms Jones was lying. SC O'Brien says that Mr White indicated he had thrown the helmet to that position as he went to Ms Jones aid. Station Officer Ritchie says the helmet was located about four – five metres up an embankment from the motorbike. Senior Firefighter Westlake says the helmet was in the long grass approximately six metres up the embankment away from Ms Jones.
93. There are no photographs of the helmet in situ, nor photographs of the location of the helmet as marked by the blue glove in comparison to the location of Ms Jones and the motorcycle nor any analysis provided by police as to the actual distance the helmet was located away from Ms Jones and the motorcycle.
94. It has since been established through DNA, the presence of fresh blood and its size that the helmet found in the grass was the one worn by Ms Jones.
95. The firefighters then assisted police with a line search on top of the bank and near where the helmet was located to check and see if anything else was there. Nothing was located.
96. Constable Grandemange arrived at the scene after ambulance and fire services. He observed a black Yamaha motorcycle lying on its left hand side. It did not appear to have suffered major damage. He observed the motorcycle did not

- have a rear registration plate attached. The motorcycle had considerable mud over the majority of the vehicle including the registration plate mount, however there was a clear outline of where it appears a registration plate was in place pre-crash.
97. Constable Grandemange observed the female person was still wearing her motorcycle jacket. He saw a second motorcycle jacket discarded on the ground next to the motorcycle. He advised firefighters of the possibility of a second person being involved and they utilised their heat seeking camera to commence a search of the area in case there was a second casualty that may have been ejected into the long grass.
 98. Senior Firefighter Westlake says that after they had started searching for the pillion passenger, Mr Macaulay said '*this is the pillion passenger here*' and pointed to Mr White. Mr White then said '*yeah I'm the pillion passenger*'.
 99. Constable Grandemange also recalls seeing two males who were visibly upset and consoling one another. He recalls having been told by someone that the two males were following the female in a vehicle directly behind and had witnessed the crash and began CPR on her. Constable Grandemange then approached the two persons. He had previous knowledge of Mr White. For this reason he decided to use his BWC. This was his private device and not service issue. The other person, Mr Macaulay, advised him quickly that Mr White was injured as he was on the motorcycle at the time of the crash. He was also advised the injured female was a girlfriend of Mr White.
 100. After ensuring Mr White received treatment from paramedics, Constable Grandemange recorded a conversation with Mr Macaulay on his body worn camera. He says Mr Macaulay told him that Mr White and Ms Jones left his house at about 4:30 PM and Ms Jones was the rider and Mr White was the pillion. He stated he had never seen Ms Jones riding the motorcycle before. Mr Macaulay advised that Ms Jones and Mr White had been at his house earlier to use a printer. He believed Mr White and Paige had been dating for 5 – 6 months. They were '*happy as anything*' and nothing was out of the ordinary. They said they were going to ride out to the Borumba Dam and then go home. They left his place at about 4:30ish. When Mr Macaulay arrived at the scene he took over CPR to give the bystander a break. He emptied Ms Jones mouth and there was blood everywhere. Mr White did not say how the crash occurred and once QAS arrived, he tried to calm Mr White down.
 101. In the footage, Mr Macaulay shows Constable Grandemange his mobile phone to show the time of the phone call he received from Mr White. Constable Grandemange also established that Mr White had contacted Mr Macaulay by telephone at 5:47 PM on his mobile (04---188) advising him of the crash and that Mr Macaulay needed to get to the crash scene.
 102. Constable Grandemange is aware another police officer checked the motorcycle vehicle identification number (VIN) and it matched the description of a motorcycle currently registered to Mr White.
 103. Constable Grandemange contacted ambulance communications and was advised the first 000 call was received at 5:58 PM by a Daniel Hodgson on

- mobile number (04---188). He noted the mobile telephone number that called ambulance communications and the mobile number that called Mr Macaulay was the same. He also noted there was a 12 minute gap in time between the telephone calls to Mr Macaulay and the initial emergency call to ambulance communications.
104. Sergeant Brock Murphy arrived at about 6:23 PM he observed two males near the rear of one of the ambulances watching on. He approached one of the male persons who he now knows as Tyson White. He asked Mr White what happened and Mr White said *"I am pretty shaken up right now. I was just doing CPR on her. Can I get some water?"* After giving him some water Sgt Murphy asked Mr White was he the first person there after the crash. Mr White stated *"no I was on the bike I was a passenger on the rear and I got thrown off the bike. My fiance was riding, I am pretty sore right now. I am hurting"*. Having ascertained Mr White had not been seen by ambulance officers, Sgt Murphy took him to one of the ambulance vehicles and spoke to an ambulance officer. He later obtained details of Mr White, of his girlfriend, Ms Jones and is not sure if he or someone else conducted a breath test on Mr White, but it returned a nil result.
 105. Sgt Murphy says he spoke to Mr Macaulay and obtained an audio version from him. Sgt Murphy identifies the time at 1910 hours. During this audio, Mr Macaulay says he had known Mr White for 3 – 4 years and met Ms Jones as his girlfriend approximately 5 – 6 months ago. Mr White's printer had broken down so they went to Mr Macaulay's house at approximately 1600 hours and printed off about 45 pages of paperwork which Mr Macaulay believed was divorce papers. They took these papers in a blue backpack. During the visit, Ms Jones had some coca cola and Mr White drank an orange drink. They did not consume any alcohol. They were at Mr Macaulay's house for approximately 30 – 45 minutes. They left about 1630 hours to go and see the dam. Both Mr White and Ms Jones were wearing helmets. At 1746 hours, Mr Macaulay got a call from Mr White saying *'get here, get here'* and Mr Macaulay asked *'where are you?'* Mr White said *'at the Kybong round about'*. Mr Macaulay got into his car and drove straight to the crash site. When he arrived there was a 4WD, perhaps a Pajero and three bystanders. One of the bystanders was wearing *'high-vis'* clothing. Mr Macaulay relieved Mr White who was providing CPR. As no one had given Ms Jones mouth to mouth he did that and discovered Ms Jones mouth was filled with blood. He rolled Ms Jones on to her side and then rolled her back and continued to provide CPR.
 106. Senior Constable O'Brien was with Constable Grandemange. He recalls seeing a male person standing beside the body who appeared to be very shaken and distressed. He observed a black motorcycle and did not see any number plate. He obtained the VIN to make further checks and verified it related to a Yamaha motorcycle 667NQ.
 107. SC O'Brien provided a statement in March 2019 and says he had a conversation with Mr White. During the conversation Mr White appeared evasive on answering questions in relation to the incident and initially told him he was following behind the motorcycle at the time of the crash. SC O'Brien had BWC that day but did not activate it as he was not exercising a police power or using force. He said he was not investigating and just gathering information. He cannot now recall what question he asked to elicit that response. He presumes this information was provided to Constable Grandemange and he may have

- provided this information to other police such a FCU. He did not become aware of the version that Mr White was saying he was a passenger but is not sure when that night. SC O'Brien made no mention of the conversation in his notebook and conceded it would have been preferable that the conversation was recorded. I am not convinced I can rely on this evidence from SC O'Brien given he did not record it anywhere.
108. He later assisted Constable Grandemange and fire officers to search the surrounding grass area and found a motorcycle helmet. He recalls that Mr White indicated he had thrown a helmet to that position as he went to her aid.
 109. Constable Grandemange asked Mr Macaulay for permission to search his vehicle to ascertain if Mr White had concealed any evidence from the scene in the vehicle. This was recorded on body worn camera footage. In the footage, Constable Grandemange asked if Mr White approached Mr Macaulay's car and whether he placed a phone in the car. Mr Macaulay says that he did not see Mr White anywhere near his car or put anything in the car. He agreed to let QPS search his car and it would appear from the footage that nothing of significance was located. On the footage it is identified that Mr Macaulay had a dash camera in his car. He consented for the QPS to take the whole camera. Later reports indicate nothing of relevance was found on the dashcam.
 110. Fire Officer Cameron Ritchie attended the scene. He recalls seeing a silver coloured four wheel drive vehicle with a bullbar parked at the scene. There was a heavy set man near where CPR was being performed and he asked him to move away. This man said he had been performing CPR and he got the impression he was not involved in the incident but cannot recall how he came to that impression. He said there was some confusion about this as he was told by another fire officer this man had been a passenger on the motorcycle. He saw this man being consoled by the other man.
 111. Fire Officer Ritchie was part of the crew that were asked to help locate the helmet. He states that upon completion of his shift at 8 AM the next morning he was driving home in the vicinity of the crash scene and observed what he believes to be the same silver four wheel drive that had been at the crash earlier but now stationary at the scene.
 112. Fire Officer Douglas Westlake also attended the crash scene with other fire service officers. He recalls there were two males standing at the rear of the ambulance with an older male around 60 years old comforting a younger man approximately in his 40s. He recalls someone at the scene saying the older man was the manager of a mine and the younger male had worked with him. He also recalls someone saying that one of the males was a friend of the victim. At one point he was tasked to use a torch and a thermal imaging camera to search the embankment behind where the body was lying on the basis that a police officer had found another jacket and thought they should look around for a pillion. He did not locate anything.
 113. After this search had been done Mr Westlake recalls the older male person pointed at the younger male and said he was the pillion and the younger male

confirmed this. Mr Westlake also formed part of a search party trying to find another helmet which was located in long grass away from the body.

Medical Treatment provided to Tyson White

114. Constable Grace Byrne was tasked to attend the Gympie Hospital at 1930 hours to obtain a blood specimen from Mr White. On arrival she was informed there had been difficulties locating a suitable vein to insert cannulas and it was unlikely that it would be successful to extract blood from a new vein.
115. At 2032 hours she spoke to Mr White and activated her body worn camera. There were a number of attempts to obtain a blood specimen and eventually at 2043 hours a specimen of blood was taken from his left arm through the cannula that had been inserted prior to police arrival.
116. Senior Constable Joshua McDonald was present with Constable Byrne. He seized a black Huawei mobile telephone and a blue shirt and pair of jeans Mr White was wearing at the time of the crash. Mr White informed him the pass code was his date of birth. SC McDonald later attempted to use this pass code but it was incorrect. He said he only tried once and thinks he went back to Mr White to query this but he cannot recall the response. The phone was given to SC Ben Rose.
117. In his statement SC McDonald says he recalls the treating clinician Dr Jason Lindeman asking Mr White if he was the rider or passenger of the motorcycle and states he heard Mr White saying he was riding the motorcycle. SC McDonald states that he had activated his body worn camera. At the inquest SC McDonald reviewed the BWC footage and agrees Mr White did not say he was riding the motorcycle.
118. Dr Lindeman was one of the treating clinicians at the Gympie Hospital emergency department on 3 July 2018. On questioning in relation to the mechanism of injury Dr Lindeman stated that Mr White reported the motorcycle was travelling around 100 km an hour and there were two persons on the motorbike. He reported the vehicle was a Yamaha R1. He reported he was the passenger and a female person was in control of the motorcycle. He reported he was flung from the motorcycle and the motorcycle landed on the female rider. He reported he performed CPR at the scene.
119. Dr Lindeman states that he asked Mr White the weight of the female rider to which he replied 'about 50 kg'. Dr Lindeman considered it is very unusual for an average sized male to be a pillion passenger to a relatively small female rider, particularly on a light weight powerful motorcycle with a very small pillion seat and high rear foot pegs. At this point, Dr Lindeman says Mr White became evasive and would not directly answer any more questions in relation to the incident. At the inquest Dr Lindeman again referred to the unusual circumstances above noting he was himself an experienced rider and had ridden the R1 Yamaha, which was a light powerful motorcycle with the pillion seat being tiny. He stated an experienced motorcyclist would consider this dangerous.

120. Constable Byrne's body worn camera footage appears to capture this interaction that is described in the above two paragraphs at the 13 minute mark of the recording.

Doctor Lindeman (**D**): Tyson, where were you on the bike mate?

Tyson (**T**): on the back

D: *On the back. How heavy was your - rider?*

T: *45 kilo.*

D: *How heavy are you?*

T: *113, 108, something around there.*

D: *what actually happened?* [unintelligible but more questions from D]

T: *She [unintelligible] under the bike. I went over the top of her and landed on the, on the uh embankment. [unintelligible] I struggled to get it off and I threw it up behind me. Then I pulled her out from under the bike.*

D: *What sort of bike do you ride?*

T: *What was that?*

D: *What sort of bike do you ride?*

T: *I wasn't riding, she was*

D: *What sort of bike?*

T: *Yamaha*

121. The medical records indicate Mr White complained of right back pain, right chest wall pain and right shoulder pain. Mr White had tenderness on his right posterior chest, right shoulder and right upper anterior chest. Mr White's abdomen was non tender anteriorly, his right flank and paraspinal had tenderness in the lumbar region. His right shoulder was tender, as was his left knee.
122. Mr White required intravenous fentanyl and ketorolac for his pain.
123. Between approximately 2030 hours and 2100 hours Mr White advised Dr Lindeman he had called a solicitor and was refusing any further tests. Dr Lindeman asked why this was the case if he was only a passenger. Mr White refused to answer. Mr White denied taking drugs prior to being on the motorcycle.
124. A CT of Mr White's cervical spine, chest, abdomen and pelvis identified the following:
- Two segment fractures of the right 3rd to 7th ribs
 - Single segment fractures of the right 2nd, 8th and 9th ribs
 - Subpleural atelectasis and ground-glass attenuation in the adjacent right upper lobe posterior segment and right lower lobe may relate to pulmonary contusion (although the expiratory phase acquisition was likely to have contributed)
 - Suspected fracture through the anterior cortical table of the manubrium
 - Undisplaced fractures of the right L3 and L4 transverse processes
125. There is a nursing entry in the medical records at 2200 hours that Mr White became tachycardic at times when stressed i.e. talking to police and solicitors.
126. Mr White was transferred to Sunshine Coast University Hospital at 2319 hours. He was discharged on 5 July 2018. The discharge summary notes that Mr White had the following injuries:
- Fractures of the right 2nd – 9th ribs
 - Right pulmonary contusion

- Fracture to the right scapula
 - Suspected fracture of the manubrium
 - Undisplaced fractures to the L3/L4 transverse process.
127. The discharge summary indicates Mr White was reviewed by orthopaedics and for conservative management of his injuries. There is a note to '*see psychologist as discussed with social work*'.
128. Dr Lindeman was asked whether it was possible for a man with these injuries to lift a motorcycle such as the Yamaha and he said unlikely. He would be able to lift a helmet and through it. Initially also the endorphins running through his body may have allowed him to perform CPR but after some time (15-30 minutes) he would be in too much pain and would have difficulty breathing, consistent with what was noted from his response at the scene as recorded on the 000 call.

Other Investigations

129. On 4 July 2018, Detective Senior Constable (DSC) Melissah Rose, Detective Sergeant Bailey and DSC Whiddett attended the crash site to conduct a further search in daylight. No items of interest were recovered.
130. DSC Melissah Rose was also part of a team of CIB detectives who attended at 894 Noosa Road, Mothar Mountain with a search warrant on 6 July 2018 to search the address in relation to drug offences. Body worn camera was activated during the search warrant. She is aware during the execution of the search warrant, DSC Duggan located a licence plate bearing registration 667NQ in a tool box in a Holden utility parked underneath the dwelling. DSC Duggan confirmed this evidence in a statement provided to me.
131. DSC M Rose states that during the warrant a black and silver Huawei mobile telephone was seized and she observed two videos recorded on 11 June 2018 of a person wearing a motorcycle jacket, the same as that worn by Mr White as evidence that Mr White was riding a motorcycle on public roads despite having no licence a matter of weeks prior to the crash. On another mobile telephone believed to be that of Ms Jones there was a message received on 21 June 2018, from a person listed as '*My Man*' at 4:58 PM saying '*Leaving Bunnings now*'. DSC Rose attended Bunnings, Gympie and reviewed CCTV footage from 21 June 2018 showing Mr White entering the store wearing a motorcycle jacket and carrying a motorcycle helmet alone and departing a short time later. DSC Rose said at the inquest she had not reviewed the video for some time and says she observed the face of Tyson White although she also said she could not now recall if he had his helmet on. I note her statement references the fact he was carrying it and accept the position is Mr White was at Bunnings and did not have his helmet on.
132. DSC M Rose also obtained CCTV footage from the Imbil Friendly Grocer from approximately 4:15 PM on 3 July 2018 and observed a black motorcycle travel past towards Borumba Dam. She observed the motorcycle to have a rider and a passenger and the rider appeared to be larger than the passenger. The CCTV footage is of such poor quality I have determined it has little evidentiary value and has been disregarded by me.

133. On 7 July 2018, police obtained a forensic procedure order to enable a qualified person to undertake a non-intimate forensic procedure on the basis that it might provide evidence of a commission of an indictable offence.
134. Photographs were taken of Mr White in black shorts. There is a red mark just lower than Mr White's right shoulder. There are marks on Mr White's arms which appear to be as a result of either a cannula or illicit drug use. On the other arm near the elbow there was a white band aid on it with a large area of bruising. There does not appear to be any other injuries in the photographs.
135. On the same day, DSC M Rose conducted a universal forensic extraction device (UFED) extraction of the black and yellow Aspera mobile phone. DSC Rose believes this to have been Ms Jones mobile phone. In the phone there was a contact for 'My Man' and phone number (04---188). The phone also has a contact for 'Ma' and the number for this corresponds with the number recorded for Ms Flavel, Ms Jones' mother, in exhibit C4.
136. A UFED extraction of a black and silver Huawei mobile phone located in the pantry of Mr White's residence was attempted but unsuccessful. A physical examination of the phone included a contact as 'Bat Phone' with a mobile number of (04---188). On the Huawei phone were two videos of Mr White riding the motorcycle along Noosa Road and up the driveway of his residence wearing the same jacket located at the crash site. The videos are recorded the same day the motorcycle was collected from Gympie Motorcycles. DSC M Rose indicates that these videos were evidence that Mr White was riding a motorcycle on the road despite having no licence.
137. On 8 July 2018, DSC M Rose conducted a UFED extraction of the white Huawei MYA-L02 mobile phone located in Mr White's pocket. This phone appears to have been used by Mr White after the crash.

Purchase of Motorcycle

138. Zane Bernardin is the general manager at Gympie Motorcycles.
139. He remembers in 2018 he sold a motorcycle to Mr White. He remembers the sale particularly well because the motorcycle was at one point his personal motorcycle. In his evidence before the inquest he explained he had personally purchased the motorcycle in question from Gympie Motorcycles but sold it back to Gympie Motorcycles when he realised the motorcycle was not for him. He has checked the sales records and can see that on 11 June 2018 the sale of the motorcycle was completed. He is able to definitely say the sale did not take place in January 2018.
140. He states that anywhere up to a week to two weeks before this Mr White had been in the store with a lady he assumed he was dating. He was there to buy a quad bike and while there he was talking about a sports bike that he had been looking at buying. Mr White made reference to a Honda CBR 1000. Mr Bernardin then showed him photographs of the Yamaha YZF-R1 2008 model that he was selling. Mr White came in the next few days with the same lady and he showed him the motorcycle and they both loved it. During the conversation with Mr White and the lady it was mentioned that she did not have a motorcycle licence and that she never had one. They had both said she was getting the quad bike to

- learn to ride. Mr White stated he presumed they were dating and they appeared to be comfortable in each other's presence. He understood they lived together.
141. Through the conversation Mr Bernadin considered it was clear the Yamaha was for Mr White and for Ms Jones to ride on the back of the bike, which is why he purchased a pillion seat for the bike. Mr Bernadin explained the pillion passenger would be sitting a few inches higher than the rider.
 142. Mr Bernadin stated that particular motorcycle was a high performance sports bike. It is the sort of bike you would take to the race track and not something you generally ride every day. This is because the seated position on the bike is extremely uncomfortable. To ride such a motorcycle in June 2018 you need an open R licence. To get a R licence a person needed to attend a QRide course, obtain a preliminary RE licence and hold this for a year and then have further testing to get a full licence. Current requirements require the RE licence now needs to be held for two years.
 143. Mr Bernadin also said in his evidence that to purchase a motorcycle you needed to have a car licence and not necessarily a motorcycle licence unless the sale was being financed in which case a motorcycle licence was required. In this case he says it was being financed and Mr White produced a licence which included a R motorcycle licence, which showed it was valid to 21 November 2018. Mr Bernadin also produced the purchase contract, finance application and finance contract all indicating the purchase was by Mr White alone.
 144. On the day Mr White came and picked up the bike on 11 June 2018 he was driven in by someone and he rode the bike home from the store. Watching him it was clear Mr White had ridden bikes before.
 145. Mr Bernadin stated this particular bike would have been difficult to ride for someone of the lady's size and the experience that she said she had. It would not be impossible but difficult, especially with someone of his size on the back of the bike if he was not leaning correctly when it was being ridden. Turning the motorcycle in particular would be difficult.
 146. Mr Bernadin also recalls seeing Mr White on the bike on one occasion after he purchased it. He has checked their systems and can see that this was on 12 June 2018 being the day after he purchased the bike. Tyson was worried it was going to overheat because the thermos fan was not coming on but after checking the manual he told him it did not come on until the water temperature reached 106 degrees. Mr White rode the motorcycle to the shop on that occasion.

Other information

147. A request was made to the Department of Main Roads and Transport (DTMR) for any traffic details regarding the alleged speeding offence committed by Ms Jones. The records indicate a speeding offence occurred on 2 March 2018 on Mothar Mountain but this involved a Suzuki Swift sedan and not a motorcycle. Ms Jones had never held a motorcycle licence.

148. At the time of the crash incident Mr White was the subject of a 24 month disqualification commencing on 23 April 2018. He previously had an unrestricted motorcycle licence but as a result of previous disqualifications, and on the basis of DTMR records produced it does not appear he obtained another unrestricted motorcycle licence.
149. However on the basis of the evidence of Mr Bernadin when Mr White purchased the Yamaha motorcycle he produced a licence showing Mr White held a MC (multicombination) and R (motorcycle) licence from 22 November 2017 to 21 November 2018. This licence was photocopied by Mr Bernadin for the purpose of the purchase.
150. DTMR records indicate Mr White was to be issued a MC P (provisional) and a CL (car learner) on 22 November 2017 and it is unclear why the MC and R licence was produced. DTMR were unable to explain this discrepancy although I suspect it was realised there had been a mistake made in granting a multicombination licence (used for heavy vehicles) and a learners for a car.
151. In any event on 23 April 2018 Mr White was disqualified from driving for two years and the licence produced to Mr Bernadin was required to have been surrendered to police or DTMR and was invalid.
152. DSC Ben Rose made enquiries about the mobile service for mobile number (04--188). This was registered with a Daniel Hodgson of an address at Bargara. DSC B Rose spoke to Mr Hodgson who said he had never used that service number. Mr Hodgson did not know Mr White or Ms Jones. Mr Hodgson stated at one point he had been involved in the drug scene and he had left his driver's licence at a drug house on one occasion. Unfortunately Mr Hodgson could not be located to provide evidence at the inquest.
153. The call records for the mobile service show there were a number of calls and text messages to associates of Mr White including the landlord of premises he was renting as well as to Mr Macaulay at 5:47 PM on the day of the crash. DSC Rose was aware of the associates and the landlord from other dealings with Mr White. The next call to 000 was made almost four minutes after the call to Mr Macaulay finished. DSC B Rose reviewed the raw data in court and was able to calculate that from the end of the call with Mr Macaulay to calling 000 there was a 3 minute 48 second gap.

Forensic Crash Unit Investigation

154. The incident was investigated by Senior Constable (SC) AJ Noble of the Sunshine Coast Forensic Crash Unit (FCU). The incident occurred at about 6 PM on Tuesday, 3 July 2018 on the Old Bruce Highway, Coles Creek.
155. The Old Bruce Highway is a bitumen sealed two lane roadway running adjacent to the recently constructed Bruce Highway. On examination of the scene there was found a number of tyre friction marks and gouges/scrape marks that could be attributed to the involved motorcycle. The initial tyre friction mark was located in the central area of the northbound lane commencing and angled towards the left side of the roadway. The friction mark was approximately 3.2 metres in length and consistent with being caused by locked rear brake.

156. After the initial friction mark ceased there was a gap of 8.1 metres before a second mark of about 16.7 metres commenced. This mark was slightly offset to the right of the alignment of the original and had a gentle curve to the left before recurring back to the right. The FCU stated this was highly consistent with being made by the locked rear wheel of the motorcycle.
157. The second mark was followed immediately by several gouge and scrape marks consistent with heavy contact from components on the left side of the motorcycle.
158. The FCU investigator stated this is highly consistent with a 'high side' situation whereby the motorcycle enters a sideways rear wheel slide and the rear tyre regains grip causing the motorcycle to violently flip back upright and over onto the roadway. This typically happens very rapidly and can result in extremely violent ejections of the rider/pillion. SC Noble considered that incidents of this nature often occur when the rider perceives that heavy braking is required and 'over applies' the rear brake resulting in rear wheel lock up.
159. Once off the sealed road surface the motorcycle continued for about another 11 metres before coming to rest in soft mud on the table drain. Ms Jones was located about two metres beyond the motorcycle. Tyre friction marks at the scene were short in nature and broken into two distinct sections. The motorcycle has fallen to the ground and slid a further 11.4 metres.
160. Preliminary speed estimates based on full braking efficiency and an estimated speeds loss attributed to the off-road sliding/tumble, resulted in a calculated speed of approximately 60–70 kilometres an hour at the time of the commencement of the initial tire friction mark.
161. Due to the straight alignment of the roadway leading into the corner immediately prior to the crash location, and the alignment of tire friction marks, it is a reasonable possibility the motorcycle may have been travelling at a higher speed prior to the incident and the resulting wheel lock occurred at the end of a deceleration phase.
162. The motorcycle was generally in good condition with moderate damage on the left side and upper frontal areas consistent with a high side. The number plate was missing on police arrival and there was some suspicion at the time due to the cleanliness of the number plate mount area making it appear possible the number plate was removed post-crash before police arrived. On 6 July 2018 Gympie detectives executed a search warrant at the address of Mr White in relation to a separate drug-related investigation. During the search the number plate for the motorcycle involved in the traffic crash was located in a tool box on the back of a utility underneath the house.
163. An examination of the motorcycle found flat spotting on the rear tyre consistent with rear wheel lock leading to the loss of control. The motorcycle otherwise appeared to be in well-maintained condition. A later mechanical inspection by a vehicle inspection officer, Sergeant Bartley McMullen found no faults with the motorcycle that would have contributed to the incident.

164. A forensic procedure order was conducted on Mr White early in the investigation, however it found no apparent injuries that could position him as either the rider or pillion passenger.
165. CCTV footage shows a motorcycle generally consistent with the involved motorcycle, riding west on Yabba Creek Road towards Borumba Dam at about 4:15 PM. The CCTV image is of limited quality but is said to show the rider is likely the larger of the two occupants with a smaller pillion passenger on the rear. It is noted that there is raised seating on the rear of the motorcycle. It is the view of the FCU that given the height of the head positions in the CCTV, the apparent rear passenger is significantly shorter than the rider.
166. A similar motorcycle is seen in the footage travelling eastbound past the same CCTV location at 5:23 PM. At that time it appears the larger person was still the rider of the motorcycle with a pillion of a smaller stature. The footage shows the pillion appears to be wearing a dark jacket with some white accenting consistent with that worn by Ms Jones on the night of the incident.
167. The exact path of the involved motorcycle from Imbil to the crash site is not known. The investigating officer conducted a drive through test from Imbil to the crash site, at the posted speed limit. This test found the trip took about 22 minutes using the shortest and most obvious route. This leads to the possibility that if the motorcycle in the footage is in fact the same motorcycle, then there is some 20 minutes where the rider has either stopped for a period of time, or possibly taken an alternate route. Due to the unaccounted time periods it is possible the rider and passenger could have changed and either of them could have been in control of the motorcycle at the time of the crash.
168. The investigation revealed that the incident could possibly have resulted from the motorcycle travelling into the bend at high speed prior to the wheel lock up and loss of control, however there was insufficient evidence to determine if this was the case.
169. On 19 March 2019, SC Noble provided a supplementary form 1 providing an update on the investigation.
170. SC Noble notes that there is no compelling information to indicate who the rider and passenger of the motorcycle was. SC Noble states that whilst he did not have access to the autopsy report, Ms Jones injuries as identified at the post-mortem, which he attended, indicated that they were consistent with Ms Jones being struck by the motorcycle during the crash sequence. SC Noble says in his opinion that the observed injuries may have resulted from Mr White falling onto Ms Jones during the crash sequence. Given the height and weight differences, Mr White would likely have inflicted significant injury if he had fallen on Ms Jones during the crash sequence. SC Noble says that the '*lack of significant external injuries*' noted on Ms Jones body is '*somewhat supportive of this scenario as motorcycle contact would likely have resulted in hard/sharp parts of the motorcycle*' contacting Ms Jones, which are more likely to leave visible injuries.
171. SC Noble indicates that the crash occurred due to a loss of control after a rear wheel brake lock up leading into a bend in the road and which appears to have

occurred at relatively low speed, resulting in a loss of rear wheel grip followed by a high side condition whereby the rear wheel regains grip causing the motorcycle to rapidly flick. This often results in the rapid ejection of the motorcycle occupants in a sideways manner from the vehicle rather than forwards, making determination of the relevant positions difficult. SC Noble reports that this type of incident is inconsistent with a more experienced rider who would ordinarily be less likely to make such a judgment error.

172. SC Noble indicates that DNA examination had been done on each helmet. Mr White's helmet had sustained the most frontal damage with a large area of cracking evidence in the chin guard area. SC Noble considers that this was not definitive in determining seating position as the cause of the damage includes possible contact with Ms Jones helmet, motorcycle components or ground contact. SC Noble also noted that examination of the clothing did not assist positioning either persons on the motorcycle.
173. SC Noble also comments that it *'is generally unusual and somewhat difficult for very slightly built persons such as Paige Jones to be able to easily maintain control of a larger motorcycle, particularly at low speed with a very large passenger. It is however not unheard of, or impossible'*.
174. SC Noble concludes that the CCTV footage from Friendly Grocers *'is likely to be the motorcycle involved in the matter'*. Due to the lack of quality of the original recording, no useable enhancement is possible.
175. On 26 August 2019, SC Noble provided a further supplementary form 1. In it he notes that sometimes motorcycle incidents will result in injuries that can be attributed to certain contacts between the rider and pillion passenger. For example, the rider of the motorcycle will often have significant injuries to the hands and fingers as this remains in contact with the motorcycle for the longest period of time. Additionally, riders often have heavy inner thigh bruising due to heavy contact with the rear of the fuel tank area. SC Noble says that there were no significant hand or finger injuries to Ms Jones to be able to attribute to her being either the rider or pillion passenger. He also says that the forensic procedure order carried out on Mr White several days later did not enable him to definitely determine Mr White's position on the motorcycle.
176. SC Noble had been provided with a copy of the report of Sergeant Stocker and agreed with its conclusions.

Crash Analysis Report of Sergeant David Stocker

177. Sergeant David Stocker is a senior crash analyst with the FCU with 17 years' experience in crash investigations. He has completed a certificate IV in Road Incident Investigation and Reporting and a Diploma in Road Crash Investigation and Analysis. He is an accredited Traffic Accident Road Reconstructionist.
178. Sgt Stocker was asked to review the evidence to determine the dynamics of the crash and the seating positions of Ms Jones and Mr White on the motorcycle at the time of the crash.
179. Sgt Stocker noted the post-mortem findings and the outcome of the non-intimate forensic procedure did not identify any injuries directly linking Ms Jones or Mr White to a component or part of the motorcycle or position on the motorcycle.

180. Sgt Stocker considered a number of possible scenarios including:
- The motorcycle drove directly into the table drain and fell.
 - Front wheel brake was applied, locking the front wheel and causing the motorcycle fall.
 - Rear wheel brake was applied, locking the rear wheel and allowing it slip out sideways. The rear wheel remained locked causing the motorcycle to low-side.
 - Rear wheel brake was applied, locking the rear wheel and allowing it to slip out sideways. The rider then released the rear brake causing the motorcycle to high-side.
181. Sgt Stocker opined the skid marks located at the scene are consistent with a heavy rear wheel brake resulting in the locking of the rear wheel of the motorcycle. This is also supported by the scuffing located on the rear motorcycle tyre.
182. The thickness of the initial tyre mark compared to the second tyre mark indicates there was also significant front brake applied initially resulting in weight shift on the rear wheel to the front wheel and narrowing of the skid mark from the rear locked wheel.
183. The increased width of second tyre mark indicates release of the front brakes with weight returned to the rear wheel resulting in a wider skid mark.
184. The rear braking continued across the road shoulder over the loose road material producing linear scratches on the road surface.
185. There was then an area on the road shoulder to the right of the tyre scratch marks that contains numerous scratches, a gouge a mark and a scrape mark indicating contact with metal components on the motorcycle and that the motorcycle has fallen prior to leaving the road.
186. The damage to the motorcycle was predominantly to the left side.
187. The scene and vehicle evidence is consistent with the motorcycle high-siding just prior to leaving the road. The motorcycle was entering a right curve and would have been initially leaning to the right. Rear wheel braking caused the rear wheel to lock and track to the left of the front wheel. The rider released the rear brake producing a high-side with the motorcycle tumbling onto its left side.
188. A high-side would project the rider and pillion up into the air and forward of the motorcycle with the motorcycle tumbling and/or sliding towards them. The injuries sustained by Ms Jones described as a heavy blunt impact to the right chest was also consistent with the motorcycle colliding with and/or landing on Ms Jones after she was thrown from the motorcycle.
189. The scene, vehicle and injury evidence does not provide any assistance in positioning Mr White or Ms Jones on the motorcycle prior to the crash.
190. Sgt Stocker also provided a response to certain questions of Counsel assisting as follows:

- A speed at the start of the tyre mark can be calculated based on the road and vehicle evidence. This calculated speed would not allow for any applied braking prior to the start of the tyre mark.
- He agrees with SC Nobles estimate of speed at the start of the tyre mark of 60 to 70 km/hr.
- The scene evidence is consistent with any of the following or combination of the following:
 - Excessive speed into the curve
 - Rider Impairment
 - Rider Distraction
 - Rider Inexperience

Statement of Tyson White

191. Mr White was forwarded a formal request by me to provide a statement.
192. In his statement Mr White states that he met Ms Jones in the early months of 2016 as she was his case officer at an employment service. She moved in with him around Christmas 2017. He states that in March 2018 he proposed to marry Ms Jones and they were attending to her divorce.
193. Mr White stated that Ms Jones did not have a motorcycle licence as far as he was aware. He has always had motorbikes himself. Ms Jones rode his DT200R motorbike on the 40 acre property where they resided to muster horses and cattle from time to time and it seemed to him she was an accomplished rider. She did not appear to have any trouble handling a dirt bike.
194. He says he thinks Ms Jones had ridden a road bike three or four times.
195. On 26 January 2018, Ms Jones and he went to the Gympie Motorcycle Shop to buy a quad bike. When they got to the shop there was a second-hand Yamaha road bike at the shop, which was also for sale. He says Ms Jones fell in love with it and they arranged to purchase the quad bike for paddock work at home and the road bike for Ms Jones. This was the bike that Ms Jones was riding when she died.
196. Mr White states he did not have a driver's licence at the time and did not ride the road bike more than a few hundred metres at home.
197. Ms Jones had received a speeding fine in the time just prior to the accident. The speed camera was on Mothar Mountain. He believes she was going about 83 km an hour in a 50 km or 60 km zone.
198. On the morning of 3 July 2018, Ms Jones seemed fine to him. Soon after lunch they went to Mr Macaulay's address and says they were there for a maximum of two hours. They were talking to him about bull dozer or excavator work. It was mainly a social visit. Mr Macaulay was a friend.
199. Mr White states he wanted to be home in the daylight and left the house. Ms Jones was riding the motorcycle and he was on the back as a pillion passenger. The accident occurred on the way home. It was about a 25 minute drive. Ms

- Jones was sitting in front, controlling the motorbike. He was behind Ms Jones and was laid forward on her back with his head to one side.
200. They were riding around the corner. He does not know how fast they were going but does not remember thinking that Ms Jones was riding fast or dangerously at all. He states he felt the bike wobble as they were going around the corner and he went to look up and the next thing he can remember is flying through the air. There was an embankment of the side of the road and he hit the embankment about halfway up.
 201. He took off his helmet and looked around. He remembers being in enormous pain. He saw Ms Jones lying under the motorcycle. The motorcycle was off the road in a drain. He got over to her as fast as he could and tried to lift the motorcycle off Ms Jones but was not able to do so. The handlebar was in the middle of her chest and she was lying on her back. He dragged her out from under the motorcycle. He took her helmet off and can remember seeing that her eyes looked black. He called Mr Macaulay because they were only 15 minutes from his place. He then called 000 and commenced CPR.
 202. Mr Macaulay arrived first and he helped with CPR. The ambulance did not arrive until about 25 minutes after Mr Macaulay got there. It was starting to get dark and some cars went past but did not stop.
 203. Paramedics took him away for treatment and he does not think he saw Ms Jones again.

Evidence of Tyson White

204. Mr Tyson confirmed his statement was true and correct.
205. He said as far as he was aware Ms Jones did not have a motorcycle licence. He has seen her licence and had looked at it.
206. He stated he had been around motorcycles since he was 17. He had little training at that time but was aware of current requirements for obtaining licences and the restrictions on more powerful motorcycles.
207. He said Ms Jones had ridden the dirt bike on his property many times to muster cattle and horses. She had not told him where she had learnt. He said they had never had a discussion about her riding a motorcycle without any licence.
208. He stated he was not sure where he came up with the reference to purchasing the motorcycle on 26 January 2018. He accepts that he purchased the motorcycle on 11 June 2018.
209. He stated they had only gone to the motorcycle shop to purchase a quad bike but Ms Jones fell in love with the Yamaha. He was asked if he was disqualified from driving at the time of purchase and said he had been disqualified but remembers presenting a licence.
210. Mr White was reluctant to adopt the description of the motorcycle as a Superbike but agreed it was a powerful motorcycle.

211. He said the finance was put in his name only as Ms Jones had been blacklisted and had a poor credit rating as a result. He agreed the finance, registration and insurance for the motorcycle were all in his name.
212. He said the motorcycle had been bought for Ms Jones to ride at some point but she took to riding quickly and she was very skilled and he was surprised.
213. He agrees he was disqualified from driving on 23 April 2018. He did not recall if he was asked to hand his licence in to anyone. He agreed he either produced the licence when he purchased the motorcycle or emailed a copy. He did not say he was disqualified. The licence was needed for finance and registration.
214. Mr White disagreed with the evidence of Mr Bernadin that the quad bike was purchased for Ms Jones to learn on and she was excited about it. He said she was excited about the motorcycle. He was asked if any mention was made that she did not have a motorcycle licence and he agreed this was not mentioned.
215. He claimed privilege from answering a question about who collected the motorcycle after it was purchased. He was directed to answer the question pursuant to s 39 of the *Coroners Act 2003*. He said he rode the motorcycle from the shop. Similarly he agreed he rode the motorcycle back to the shop the next day.
216. Mr White said that between the day of purchase and the crash Ms Jones rode the motorcycle three or four times from memory on Noosa Road to practice. He stated she was able to have her feet touch the ground when sitting on the motorcycle.
217. He said he had been on the back of the motorcycle twice while she was riding, again on Noosa Road.
218. Mr White stated she was able to push the motorcycle into position. He was asked about Mr Macaulay's evidence that on day of crash he pushed it to the front of the driveway and said he was doing it as a gentleman.
219. He was asked if the day of the crash was the first time she had driven as far as Imbil and said he was not sure where she had gone on other times to blow off some steam.
220. Mr White stated he had no discussions with her about her not having a motorcycle licence and agreed she did not have one.
221. He agreed the position of a pillion on the motorcycle was crunched up and not pleasant. Ms Jones had insisted on going to Mr Macaulay that day to get the divorce papers printed. He stated she could not drive her own vehicle as it had hit a roo and his own vehicles were damaged also.
222. He was unable to explain why the motorcycle did not have a number plate attached. He agreed it was on the motorcycle when purchased. He denied removing the number plate.

223. He was taken to the toxicology results for Ms Jones showing the presence of methamphetamine. He denied knowing she consumed methamphetamine that day but agreed she had used the substance on other occasions and gave a description of her behaviour on doing so.
224. He said Ms Jones only met Mr Macaulay that day and denied his evidence he had met her before. He said Mr Macaulay had met a previous girlfriend.
225. He said Ms Jones rode the motorcycle to Mr Macaulay that day. The paperwork was placed in a backback he was carrying.
226. He stated he pushed the motorcycle out and he put the stand down and she got on and started it. It was put that Mr Macaulay stated he (Mr White) was sitting on the motorcycle with his feet down to stabilise the motorcycle. Mr White maintained Ms Jones got on first and did not need his assistance.
227. Mr White does not recall if they went to Borumba Dam before or after visiting Mr Macaulay.
228. He was asked about the speed of the motorcycle just before the crash. He said he was not looking at the speedo but it was about the speed limit.
229. Mr White states he was thrown from the motorcycle and landed on the embankment where the police found his helmet. He took off his helmet and rolled down the embankment and went to Ms Jones. When it was suggested DNA testing on this helmet including the presence of fresh blood concluded this helmet belonged to Ms Jones, Mr White was unable to concede he was incorrect in his assertion the helmet was his.
230. Mr White says he could not lift the motorcycle. He says he rang Mr Macaulay first and then had to drag her out from under the motorcycle and then rang 000 and then CPR.
231. He was asked about the telephone number (04---188) that called 000 and says he does not recall that number. He does not know who Daniel Hodgson is. He was asked why he rang Mr Macaulay first and said he was dazed but thought he was closer than the ambulance services and Mr Macaulay could get them to hospital.
232. He remembered being called 'Daniel' by the 000 caller. Daniel was his middle name and he was not going to argue with the caller over that.
233. He does not recall QAS officers asking if he saw Ms Jones come off the bike. He did not hear Mr Macaulay say he had seen the motorcycle go around the roundabout too fast and lose control.
234. He says he told the paramedics and fire officers he was the passenger and got flung. He disagrees he told SC O'Brien he was following and saw the crash.
235. He denied the staff at Gympie Hospital were able to obtain a blood sample from him. He was only aware on the morning of his evidence there was a certificate

showing methamphetamine in his system. He denied consuming any alcohol or illicit or other drugs that day.

236. Mr White denied knowledge of a number of people referred to in the telephone records for (04---188). He agreed one person was the landlord of premises he rented and but suggested Ms Jones may have rung him. He stated he does not recall the numbers for his phones as he has had so many of them. He stated he could not agree that the references to (04---188) and 'My Man' on the Aspera phone found at his residence indicated it was used by Ms Jones. There were also a number of text messages put to him which suggested an intimate and domestic relationship with Ms Jones. He would not admit to the phone (04---188) as being one he was using despite there being overwhelming evidence to support such a proposition.

Conclusions

237. In reaching my conclusions it should be kept in mind the *Coroners Act 2003* provides that a coroner must not include in the findings or any comments or recommendations, statements that a person is or maybe guilty of an offence or is or maybe civilly liable for something. The focus is on discovering what happened, not on ascribing guilt, attributing blame or apportioning liability. The purpose is to inform the family and the public of how the death occurred with a view to reducing the likelihood of similar deaths.
238. A coroner should apply the civil standard of proof, namely the balance of probabilities but the approach referred to as the *Briginshaw*¹ sliding scale is applicable. This means that the more significant the issue to be determined, the more serious an allegation or the more inherently unlikely an occurrence, the clearer and more persuasive the evidence needed for the trier of fact to be sufficiently satisfied that it has been proven to the civil standard.
239. With respect to the *Briginshaw* sliding scale it has been held that it does not require a tribunal of fact to treat hypotheses that are reasonably available on the evidence as precluding it from reaching the conclusion that a particular fact is more probable than not.
240. It has also been stated that "*Evidence of possibility... is admissible and must be weighed in the balance with other factors, when determining whether or not, on the balance of probabilities, an inference... could or should be drawn. Where, however, the whole of the evidence does not rise above the level of possibility, either alone or cumulatively, such an inference is not open to be drawn.*"²
241. Section 48 of the *Coroners Act 2003* provides that if from information obtained while investigating a death, a coroner reasonably suspects a person has

¹ *Briginshaw v Briginshaw* (1938) 60 CLR 336 at 361

² Chief Justice Spigelman, *Selstam Pty Ltd McGuinness* (2000) 49 NSWLR 262 at [79]

committed an offence, the coroner must give the information to the Director of Public Prosecutions if the matter may involve an indictable offence.

242. The clear issue to be determined as noted in the list of issues is who of Paige Erin Jones and Tyson Daniel White was the rider of the Yamaha motorcycle on 3 July 2018 and who was the pillion passenger. Determining that issue resolves the issue of 'How'. Otherwise the s45 issues relating to identity, date, place and cause of death are clear and are set out in my formal findings.
243. I can readily conclude that Mr White intended to purchase the motorcycle for his use notwithstanding the fact he was at the time disqualified from driving any vehicle at the time. A review of his traffic history draws a clear inference he held little regard for court orders regarding his licence.
244. Whether Mr White produced the licence or sent a copy by email, it is the case Mr White used an invalid driver's licence when he purchased the motorcycle on 11 June 2018. All paperwork regarding the purchase was in his name alone. Subsequent insurance and registration was in his name alone. Mr White's assertion he was buying the motorcycle for Ms Jones has little credence, particularly on the basis that Mr Bernadin's evidence is accepted when he said the quad bike was being purchased so Ms Jones could learn on it. I have no reason not to accept Mr Bernadin as a credible witness.
245. There is also credible evidence Mr White was riding the motorcycle in the period after the purchase. Mr Bernadin clearly has him riding the motorcycle, despite his disqualification on 11 June and 12 June 2018. There is video evidence on one of the mobiles found at his residence of his riding the motorcycle on 11 June 2018 and CCTV from Bunnings on 21 June 2018.
246. The only persons who give evidence that Ms Jones ever rode the motorcycle are Mr White and Mr Macaulay who says she drove away from his home on the day of the crash.
247. I accept Ms Flavel's assertion that Ms Jones had a fear of motorcycles but that can change and it seems Ms Jones was happy to be a pillion on the motorcycle. Ms Jones did not have a motorcycle licence and there is no evidence to suggest she received any training. The evidence is that the quad bike was delivered on 26 June 2018. Ms Flavel gave evidence Ms Jones was having some difficulties with the quad bike although she only had the quad bike for just over a week.
248. I can conclude it is unlikely Ms Jones was the rider of the motorcycle that day for a number of reasons being:
- The motorcycle was a powerful high performance machine
 - Ms Jones did not hold a licence for even the lower category motorcycles
 - The only evidence suggesting she had ridden this motorcycle or indeed any dirt bike or road motorcycle comes from Mr White
 - Otherwise the evidence is she had no experience with motorcycles

- In any event the motorcycle had only been with them since 11 June 2018 giving a very limited time period for Ms Jones to allegedly gain experience
 - Mr White's evidence that Ms Jones had surprisingly become a good rider would be self-serving and did not sound credible
 - Mr Macaulay noted Ms Jones needed Mr White to stabilise the motorcycle for her to get on when they left
 - Mr Kuhn's evidence suggests Mr White drove the motorcycle to Mr Macaulay's house, contrary to the evidence of Mr White. Mr Kuhn's evidence is also supported by Mr Macaulay on this point where he describes the positioning of Mr White at the rider's position and Ms Jones getting off the back. Mr Kuhn's evidence also supports the fact Mr White had ridden the motorcycle down the driveway as they were leaving, contrary to the evidence of Mr White but consistent with that of Mr Macaulay. Mr Kuhn honestly states he did not see the motorcycle leave so does not say who actually rode it away but the positioning of Mr White and Ms Jones when he saw them last supports Mr White rode away and quickly and supportive of a more experienced rider
 - All witnesses who had experience with motorcycles including civilian and police who gave evidence stated that although it was possible Ms Jones to have been the rider, this was unlikely due the discrepancy in size of Ms Jones and Mr White, the type of motorcycle being in a Superbike category, the very small pillion seat, the high pegs for the feet of the pillion to sit in meaning he was scrunched up and it being very uncomfortable
249. Mr White's evidence on a number of issues is difficult to accept including:
- He could not concede a blood sample was taken from him at Gympie Hospital despite body worn camera evidence to the contrary
 - His denial that the telephone he used to ring 000 clearly belonged to him despite overwhelming evidence to the contrary.
 - His denial the phone found at his residence which had reference to this phone as 'My man' and 'ma' was clearly Ms Jones' phone
 - He would not concede the issue concerning the helmets found at the scene
 - His denial in having consumed methyalmpehtamine when it was found in his system
250. In respect to events after the crash it is accepted there was some initial confusion as to what was said about the circumstances of the crash. The suggestion that Mr White and/or Mr Macaulay witnessed the crash probably originated at the time the first paramedic arrived on the scene with the question posed by the paramedic eliciting an equivocal response. This was a scene of great confusion with multiple conversations taking place. There is little evidence to suggest Mr White or Mr Macaulay were active in some deception about this.
251. The delay in calling 000 of 3 minutes and 48 seconds after speaking to Mr Macaulay, and the fact he even spoke to Mr Macaulay first is concerning but the fact Mr White would have been dazed and was injured may give some explanation. Any delay would have made no difference to the outcome as Ms Jones' injuries were very serious and were largely unsurvivable.
252. The inquest considered the responses of first responders at the scene and there is no criticism of their efforts. There was clearly some confusion as to the

presence of Mr White and Mr Macaulay and that did initially impact on the police response.

253. It is apparent some of the recording of the initial scene could have been better, but it is accepted such incidents almost always result in some contamination of the scene due to the necessity of providing life-saving efforts. The confusion about the helmets could have been avoided but I accept it did not change the the outcome of the investigation. The fact that a blue backback was present at some point but was not gathered and inspected was not optimal.
254. Counsel assisting has suggested consideration be given to utilising Body Worn Camera more widely in such cases to avoid the loss of evidence at the scene and this is a reasonable matter for consideration. Two officers concede they should have made better notes about some important conversations and I accept they have learnt from this investigation as a result.
255. It is improbable but not impossible that Ms Jones was riding the motorcycle at the time of the crash. The evidence supporting such a proposition comes from Mr White himself and supported by Mr Macaulay as to what he saw some hour or so earlier.
256. What can be said it that if ,as Mr White has consistently said at the scene, in his statement and in evidence at the inquest, he was indeed the pillion passenger he did so in circumstances where I find:
- He allowed Ms Jones to ride his high performance motorcycle
 - He was aware of motorcycle restrictions applied to those without licences
 - He was aware Ms Jones did not hold a motorcycle licence
 - He was aware Ms Jones was learning to ride a quadbike and was inexperienced in riding motorcycles
 - At its highest, Ms Jones had a few weeks of experience riding a quadbike and at most three weeks of experiencing the Yamaha
 - He was aware Ms Jones was a user of methylamphetamine
 - Ms Jones had difficulty manoeuvring the motorcycle when stopped and needed assistance in stabilising the motorcycle to be able to commence riding
 - There was a significant weight disparity between the couple which was greatly exacerbated by the high position of any pillion passenger
257. The expert evidence of SC Noble and Sgt Stocker is that the crash was a high sided crash. The investigation at a forensic level cannot determine the relative positions of whether Ms Jones or Mr White were the rider or pillion.
258. What speed analysis could be determined is that the motorcycle was travelling at the speed limit or close thereto. Otherwise the expert evidence suggests the reason for a crash of this nature is due to either:
- Rider Impairment- both Ms Jones and Mr White had methylamphetamine in their system indicative of recent usage
 - Rider Distraction – there is no evidence available to support such a proposition
 - Rider Inexperience – Ms Jones was certainly in that category

259. Whatever may be the factual scenario, that being Mr White was riding at the time of the crash, and where there is evidence he was riding prior to the crash in circumstances where he was disqualified; or he allowed Ms Jones to ride the motorcycle at the time of the fatal crash, there are a number of offences based on either scenario for which I can form a sufficient reasonable suspicion that a person has committed an offence, such that I should refer the information gained in this investigation to the Director of Public Prosecutions pursuant to section 48 of the *Coroners Act 2003*.
260. That referral will be made. It is accepted there may be offences identified, which are not of an indictable nature that the Director may refer back to Queensland Police Service.

Findings required by s. 45

Identity of the deceased – Paige Erin Jones

How she died – Paige Jones died as a result of injuries caused in a single vehicle motorcycle accident. At the time Tyson White was either the rider of the motorcycle or was a pillion passenger. The crash was unwitnessed. Tyson White has admitted to being the pillion passenger at the time. Although there is some significant improbability concerning that scenario, on the state of the evidence that cannot be excluded, however on either scenario there is sufficient evidence to refer the matter to the Director of Public Prosecutions.

Place of death – Old Bruce Highway & Mary Valley Link Road COLES CREEK QLD 4570 AUSTRALIA

Date of death– 03 July 2018

Cause of death – 1(a) Chest and abdominal injuries
1(b) Motorcycle accident

Comments and recommendations

261. There is a discrepancy between the transport history of Mr White and of the driver's licence issued on 22 November 2018. This only became apparent during the course of the inquest. The Driver Licence History produced by DTMR for 22 November 2017 indicates Mr White should have been issued a multi combination probationary licence as well as a C class learner's licence. The licence (or copy of the licence) provided to Mr Bernardin was issued on 22 November 2017 but provided Mr White with an open multi combination and open motorcycle licence. DTMR confirmed that the Driver Licence History was accurate. The issue of a probationary multi-combination licence in combination with a learners C class licence is odd on the basis that a multi-combination

licence entitles you to drive vehicles of a lower class such as motor vehicles. Additionally, it would appear that the Drivers Licence was issued contrary to the Traffic History. Given evidence was not able to be gathered to suitably explain these discrepancies prior to the inquest concluded, I intend to refer this matter to DTMR to investigate the circumstances in which the Driver Licence was issued to Mr White on 22 November 2017, in order to ensure the integrity of the licence issuing regime is maintained.

262. Whilst I am not critical of the decision of SC O'Brien and Constable Grandemange not to activate their BWC upon arrival at the scene, it is self-evident that if BWC footage had been available, it may have enabled the identification of the information that was conveyed at the scene and the persons who conveyed this information. Additionally, if BWC's had been activated, it would have likely captured the interactions various police officers had with Mr White. The QPS manual with respect to the attendance of police officers at fatal crash scenes provides in detail the steps to be taken by officers at the scene, which include the preservation of life as the first priority. Given the obvious benefits of having BWC footage available, I recommend that the QPS consider whether the manual regarding steps to be taken at the scene of fatal crashes should be amended to include a direction or encouragement to police officers with BWC to activate these upon arrival at the scene to capture as much evidence as possible.

263. This matter was raised with Counsel representing the Commissioner prior to submissions. Ms Kennedy states there are a number of implications including costs and resourcing that need to be considered when such policy decisions are considered. Ms Kennedy advised the Commissioner welcomes consideration of such a recommendation in the terms proposed.

264. I therefore make the recommendation in those terms and thank the Commissioner for her consideration of the issues.

I close the inquest.

John Lock
Deputy State Coroner
Gympie