



OFFICE OF THE STATE CORONER

FINDINGS OF INVESTIGATION

CITATION: **Non-inquest findings into the death of Andrew**

TITLE OF COURT: Coroners Court at Cairns

JURISDICTION: Cairns, Northern Region

DATE: 15 December 2015

FILE NO(s): 2015/465

FINDINGS OF: Kevin Priestly, Northern Coroner

CATCHWORDS: Coroners: non-inquest findings, motor vehicle collision, deceased asleep at the wheel, likely major contributor was cannabis and methamphetamine intoxication

Introduction

Andrew was 34 years of age and lived at Charters Towers.

At 6:10am on Tuesday 3 February 2015, Andrew was driving his orange Holden Colorado dual cab utility north on the Bruce Highway, about 2.4 kms south of Upper Murray. At the same time and place, a white International Acco truck carrying a backhoe digger in the tray was headed south.

Around 30 meters apart, the Colorado veered towards the truck. The truck driver swerved left to avoid the Colorado. Despite this, the Colorado crashed into the front right of the truck and shunted it in an arch like manner onto the west side of the highway resulting in extensive damage, particularly to its front roof and driver's side.

The truck came to rest 15.2 meters past the impact point with extensive damage to the front and front suspension. Police and Ambulance arrived at the scene shortly afterwards. Andrew was found deceased. The driver of the truck was taken to Innisfail Hospital with severe injuries.

Attached is a photograph of the accident scene.

Forensic Crash Investigation

A Forensic Crash Unit trained investigator conducted a scene investigation and reported the following possible contributors were investigated and excluded:

1. The road surface was dry and in good condition with no obstructing debris or potholes.
2. The weather conditions were clear and sunny with no recent heavy rain.
3. Mechanical inspection revealed no mechanical defects in Andrew's vehicle that might have contributed to the incident.

The investigator reported that driver fatigue was another possible contributor. Immediately prior to impact, the driver of the truck saw that the driver of the Colorado had his eyes closed, apparently asleep. There were no skid marks from the Colorado leading to the impact point which suggests Andrew was unaware of the impending collision. The gouge marks on the south bound lane identify the initial point of impact. Together with the observations of the driver of the truck, there is overwhelming support for the conclusion that the Colorado travelled into the south bound lane without any evasive action including braking. Further, the incident occurred on a long, straight stretch of road conducive to an increased risk of fatigue induced sleep.

Police searched the scene and located near Andrew's Colorado, a plastic drink container converted to a bong that smelt strongly of cannabis. On the passenger seat, Police found a clip seal bag containing an unknown quantity of white power substance. An additional clip seal bag with an unknown quantity of white powder was found in Andrew's wallet.

An autopsy was conducted and confirmed Andrew died due to multiple injuries due to a motor vehicle collision against a background of methylamphetamine and cannabis intoxication. Toxicology results revealed that Andrew had levels of methylamphetamine at a blood level in the reported potentially toxic range as well as the presence of cannabis.

In light of the presence of drugs, Dr Griffiths, Forensic Medical Officer, was asked to give his opinion on the likely impact of the particular drugs and their levels on Andrew's driving ability.

Dr Griffiths reported:

- Andrew had a level of Delta 9 tetrahydrocannabinol (THC) of 0.02mg/kg which is exceptionally high, and indicating likely use within an hour of death. THC levels fall dramatically after exposure, reaching a peak in about 6-8 minutes, then 'falling like a stone'. However, peak effects are reached at about 20 minutes, so there is no correlation between peak blood levels (early) and peak effects (later). The effects on cognition are maximal in the first hour, then start to drop off and are usually still measurable at 4 hours. This concentration is well above levels usually associated with impairment (most studies suggest driver impairment above 0.01mgm/kg). Sedation, passivity, loss of perception, effects on cognition and memory; are all features which could be expected at this level.
- The methylamphetamine was within an active range (0.38mgm/kg) but the deceased could also have been in a withdrawal phase as blood levels usually don't correlate with the particular phase of intoxication.

Dr Griffiths concluded that a combination of factors could explain the circumstances of the crash including the road conditions, the time of the day, the high level of THC and the intense desire to sleep associated with the withdrawal phase of methylamphetamine use.

Conclusion

I find that Andrew died on 3 February 2015 due to multiple injuries sustained in the motor vehicle collision against a background of methylamphetamine and cannabis intoxication. The drugs likely contributed to him falling asleep, the vehicle to veer into the path of the oncoming truck, and the resulting collision which caused his death.

All road users are exposed to the risk of injury or death. However, as this case demonstrates, that risk is greatly increased when a driver uses drugs such as methylamphetamine and cannabis. Andrew likely thought he could manage the impact of the drugs when driving. Tragically, he was wrong and succumbed to an intense desire to sleep. Although methylamphetamine is typically considered a stimulant, it does cause fatigue, disrupted sleep patterns and accumulated sleep debt.

Findings required by s. 45

Identity of the deceased – Andrew.

How he died – Andrew fell asleep at the wheel, his car veered into the path of an oncoming truck and collided causing fatal injuries.

Place of death – Bruce Highway MURRIGAL QLD 4854 AUSTRALIA

Date of death– 3 February 2015

Cause of death – Multiple injuries due to a motor vehicle collision against a background of methylamphetamine and cannabis intoxication.



Kevin Priestly
Coroner
CAIRNS
15 December 2015

Photograph of the Accident Scene



Taken from the direction of travel of the truck