



MAGISTRATES COURT *of* TASMANIA
CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

Coroners Act 1995

Coroners Rules 2006

Rule 11

I, Simon Cooper, Coroner, having investigated the death of Hanh Thi My Nguyen and David Quan Hien Dang

Find, pursuant to Section 28(1) of the Coroners Act 1995, that

- a) The identity of the deceased is Hanh Thi My Nguyen;
 - b) Ms Nguyen died from injuries sustained as a driver in a multiple motor vehicle collision;
 - c) The cause of Ms Nguyen's death was multiple head, neck, trunk and limb injuries; and
 - d) Ms Nguyen died, aged 24 years, on 19 July 2021 on the Midlands Highway, approximately 3.4 kilometres south of Campbell Town, Tasmania.
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- a) The identity of the deceased is David Quan Hien Dang;
 - b) Mr Dang died from injuries sustained as a front seat passenger in a multiple motor vehicle collision;
 - c) The cause of Mr Dang's death was multiple head, neck, trunk, spinal and limb injuries; and
 - d) Mr Dang died, aged 36 years, on 19 July 2021 on the Midlands Highway, approximately 3.4 kilometres south of Campbell Town, Tasmania.

In making the above findings, I have had regard to the evidence gained in the investigation into Ms Nguyen and Mr Dang's death. The evidence includes:

- Police Report of Death for the Coroner – Ms Nguyen;
- Police Report of Death for the Coroner – Mr Dang;
- Affidavits establishing identity and life extinct;
- Report – Dr Andrew Reid, Forensic Pathologist – Ms Nguyen;
- Report – Dr Andrew Reid, Forensic Pathologist – Mr Dang;
- Results – toxicological analysis – Forensic Science Service Tasmania – Mr Luke Williams;
- Results – Toxicological Analysis – Forensic Science Service Tasmania – Mr Dang;
- Results – Toxicological Analysis – Forensic Science Service Tasmania - Ms Nguyen;
- Report – Mr Barry Spencer, Transport Safety and Investigation Officer;
- Report – Mr Paul Buckley, Safety and Compliance Officer, National Heavy Vehicle Regulator;
- Affidavit – Mr Luke Williams, sworn 1 August 2021;
- Affidavit – Mr Gary Ackerley, sworn 1 August 2021;
- Affidavit – Mr Barry Jones, sworn 30 July 2021;
- Affidavit – Ms Karen Boulter, sworn 31 July 2021;
- Affidavit – Mr Grant Barwick, sworn 2 August 2021;
- Affidavit – Ms Kieu Dang, sworn 11 August 2021;
- Affidavit – Mr Scott Williams, sworn 26 July 2021;
- Affidavit – Mr Jamie Wise, sworn 5 June 2021 (and dash cam footage);
- Affidavit – First Class Constable Kyran McMahon, sworn 1 September 2021;
- Affidavit – Senior Constable Marie Fish, sworn 30 July 2021 (and photographs);
- Affidavit – First Class Constable Marcus Williams, sworn 11 August 2021 (and drone photographs);
- Affidavits – First Class Constable Nigel Housego, sworn 20 July 2021 and 12 October 2021; and
- Scene diagrams, police information holdings and miscellaneous material.

The evidence satisfies me to the requisite legal standard that the crash which claimed the lives of Ms Nguyen and Mr Dang occurred when a Mazda 3 Hatch, owned by Mr Dang and driven by Ms Nguyen north on the Midlands Highway collided with a prime mover truck.

The Mazda left its correct lane and moved into the Southern lane where the collision occurred.

Ms Nguyen and Mr Dang were both killed instantly.

There is cogent evidence - in the form of dash cam footage from another vehicle - which suggests that Ms Nguyen was looking at her mobile phone immediately prior to the collision.

Toxicological analysis of samples taken at autopsy demonstrated the presence of methylamphetamine in both Ms Nguyen and Mr Dang's bodies at the time of the crash.

The driver of the prime mover, who was fortunately uninjured, was subject to normal post-accident alcohol and drug testing. No alcohol or drugs were detected as having been present in his body at the time the crash occurred.

There is no evidence that road or weather conditions caused or contributed to the happening of the crash.

There is no evidence that mechanical defect on the part of either vehicle involved in the crash caused or contributed to it happening.

The evidence indicates that Ms Nguyen drove the Mazda from the correct lane directly into the path of the prime mover. The driver of the prime mover steered his vehicle to the left to attempt to avoid the collision but had insufficient time to do anything to avoid the crash. In contrast, there was no reaction whatsoever from Ms Nguyen in the Mazda.

I am quite satisfied that responsibility for the crash rests entirely with Ms Nguyen. It seems apparent that the crash occurred as a result of inattention on her part, which inattention was likely affected by her consumption of methylamphetamine before driving.

Comments and Recommendations

The circumstances of Hanh Thi My Nguyen and David Quan Hien Dang's deaths are not such as to require me to make any comments or recommendations pursuant to Section 28 of the *Coroners Act 1995*.

I convey my sincere condolences to the family and loved ones of Ms Nguyen and Mr Dang.

Dated 25 March 2022 at Hobart in the State of Tasmania.

Simon Cooper
Coroner