



MAGISTRATES COURT *of* TASMANIA
CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Andrew McKee, Coroner, having investigated the death of Rowyn Jake Johnson,

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

- a) The identity of the deceased is Rowyn Jake Johnson;
- b) Mr Johnson died from injuries sustained in a motorcycle crash;
- c) Mr Johnson's cause of death was multiple severe trauma related to a motorcycle crash; and
- d) Mr Johnson died on 2 August 2020 at Launceston, Tasmania.

Introduction

In making the above findings I have had regard to the evidence gained in the comprehensive investigation into Mr Johnson's death. The evidence includes:

- The Police Report of Death for the Coroner;
- An opinion of the pathologist who conducted the autopsy;
- The results of toxicological analysis of samples taken at autopsy;
- Affidavits confirming identification and life extinct;
- Affidavit of J Johnson, mother of Mr Johnson;
- Affidavit of J Johnson, brother of Mr Johnson;
- Affidavit of R Giri, driver of the other vehicle involved in the crash;
- Affidavits of H Easter and T Payne, passengers in the vehicle driven by Mr Giri;
- Affidavits of L Mitchell, S Hawkins, J Grutzner, G Singh, J Freeman, J Virk, and V Porter, witnesses to the crash;
- Affidavits of B Martin and S Gray, associates of Mr Johnson;
- Affidavit of I/C Constable Nigel Housego, Crash Investigator;
- Affidavits of Paul MacLaine, a Transport Safety and Investigations Officer;
- CCTV from the Pod Inn;
- GoPro footage of the crash;
- YouTube clip, uploaded 1 August 2020;

- Tasmania Police body worn camera footage of the crash scene;
- Tasmania Police prior conviction list;
- Affidavits of attending and investigating police officers;
- Report from Tasmania Ambulance Service; and
- Forensic and photographic evidence.

Background

Mr Johnson was born in Adelaide on 22 December 1991. At the time of his death, he was aged 29 years and resided alone, at Legana, Tasmania.

Mr Johnson was born to Stephen Collier and Joanne Johnson. Mr Johnson had six siblings.

Mr Johnson grew up in Adelaide and Broome. The family moved between locations depending on Mr Collier's employment. Mr Johnson completed his formal education at the end of grade 10.

Mr Johnson was then employed in a family business run by his mother and her then partner. He undertook study to enable him to secure employment in the mining industry and worked as a roustabout. He then obtained employment as a carpet layer in South Australia. Mr Johnson commenced a relationship which produced two children.

Mr Johnson joined the Royal Australian Army. He was posted to Canberra and Townsville. He separated from his partner and commenced a new relationship.

After discharge from the Army, Mr Johnson moved to Tasmania and resided with his partner at his mother's farm. That relationship produced two children. The relationship ended shortly prior to Mr Johnson's death. Whilst in Tasmania Mr Johnson obtained employment as a contract carpet layer.

According to Mr Johnson's brother, Jai, Mr Johnson had been riding dirt bikes since four years of age. He described Mr Johnson as an experienced dirt bike rider. Mr Johnson held a motor vehicle license, but did not hold a motorcycle license. As such, he had never undergone any formal training to obtain a motorcycle licence. His capacity to safely use a motorcycle on a public street had not been assessed. Mr Johnson had a blasé attitude to not holding a motorcycle licence. When this issue was raised by his brother, he indicated that he did not care. Mr Johnson's brother also indicated that he would not get on a motorcycle with him because he could not ride it properly.

In May 2020, Mr Johnson purchased a black 2010 Kawasaki Z1000 SX motorcycle after responding to an advertisement on Gumtree. Mr Johnson always wore a GoPro attached to the side of his helmet when riding his motorcycle. Mr Johnson had a YouTube channel to which he uploaded footage of himself riding his motorcycle. A consideration of that footage indicates that Mr Johnson rode his motorcycle in a reckless manner contrary to the road rules of this state. He rode his motorcycle in such a manner that he placed himself and other persons lawfully using the roadways at risk.

Based on affidavits sworn in the Coronial proceedings I am satisfied that Mr Johnson had issues with alcohol.

Circumstances Leading to Mr Johnson's Death

On the evening of 1 August 2020, Mr Johnson rode his motorcycle to his brother's house in Deloraine. His brother recalled that Mr Johnson had trouble riding the motorcycle and appeared to be under the influence of alcohol. Mr Johnson stayed for a while and informed his brother that he had been fighting with his ex-partner. He re-charged his GoPro battery and, despite his brother advising him not to drive, he headed off to have a drink with a friend at a pub at Longford.

Mr Johnson attended the Queen's Arms Hotel and met up with Mr S Gray. They had two drinks at the Queen's Arms Hotel and left to go to the Commercial Hotel in Launceston at approximately 8.30pm. Mr Johnson rode his motorcycle with Mr Gray riding as a pillion passenger. Mr Gray was unaware that Mr Johnson did not hold a motorcycle licence. Mr Gray indicated that at times Mr Johnson rode the motorcycle at speeds of between 150km/h and 160km/h. They arrived at the Commercial Hotel, had more to drink and parted company at about 10.30pm. Mr Gray did not see Mr Johnson again that evening.

At around midnight, Mr Johnson left the Commercial Hotel. He rode his motorcycle in an irresponsible manner through various streets throughout the Launceston CBD. He rode his motorcycle at speeds in excess of the 50km/h limit.

The manner in which Mr Johnson rode his motorcycle was recorded on his GoPro, police body worn camera footage, along with CCTV footage obtained from various business premises.

Mr Johnson's movements can be summarised as follows after leaving the Commercial Hotel:

- a) Riding east on Cimitiere Street;
- b) Performing a u-turn at the intersection with Lawrence Street;
- c) Riding at high speed, west on Cimitiere Street;
- d) Overtaking a vehicle on the left hand side;
- e) Riding through a red light at Tamar Street;
- f) Revving the motorcycle excessively as Mr Johnson passed police officers arresting a male outside the Commercial Hotel;
- g) Performing a small wheel stand followed by an overtaking manoeuvre on Cimitiere Street;
- h) Travelling at high speed past Launceston Police Headquarters;
- i) Decelerating slightly to travel from Cimitiere Street onto Wellington Street; and
- j) Accelerating and moving to the far right hand on Wellington Street.

The Collision

As Mr Johnson approached the intersection of Patterson and Wellington Street he entered the turning lane and drove through the intersection at a speed of at least 99km/h against the red traffic light. The intersection of Wellington and Patterson Street is controlled by traffic lights.

A Suzuki Swift hatch being driven by Mr Giri was travelling west on Patterson Street. Mr Giri approached the intersection with Wellington Street. The traffic light facing him was green. He then proceeded through the intersection. As he proceeded through the intersection the motorcycle driven by Mr Johnson collided with the front driver's side of Mr Giri's vehicle.

The impact caused Mr Giri's vehicle to rotate counter clockwise and travel 7.7 metres from the point of impact before impacting with a traffic light pole on the south western corner before coming to a rest.

The impact caused the motorcycle to become airborne and rotate sideways around its length. The motorcycle travelled 12.3 metres in a south westerly direction, colliding with a stone fence before bouncing back to the location it came to rest. Mr Johnson was thrown over the front of the Suzuki. He then collided with the traffic light pole in the south western corner of the intersection. Mr Johnson's helmet and clothing came loose due to the force of the impact.

Emergency services attended the scene. Mr Johnson was declared deceased at the scene.

Post-Mortem Examination

A post-mortem examination was undertaken by pathologist, Dr Terrence Brain, on 3 August 2020. Dr Brain opined that Mr Johnson's cause of death was multiple severe trauma related to a motorbike crash. I accept Dr Brain's opinion as to Mr Johnson's cause of death.

Toxicological testing revealed that Mr Johnson had a reading of 0.174 g/100mL of alcohol in his system at the time of his death.

Condition of the Kawasaki ZX1000H and Suzuki Swift Prior to the Crash

The registered Kawasaki was inspected after the collision by Mr P MacLaine, a Transport Inspector employed by the Department of State Growth. I am satisfied that he is qualified to express the opinions contained in the affidavit he swore in the coronial investigation. He listed extensive damage to most of the motorcycle. He expressed the opinion that, prior to the crash, the motorcycle was, as far as he could determine, generally mechanically sound and roadworthy and his inspection did not reveal any fault that could have caused or contributed to the crash. He did note that the motorcycle was fitted with a non-compliant aftermarket exhaust system.

The Suzuki Swift driven by Mr Giri was in good condition and had no mechanical faults or other defects.

Crash Investigation

A thorough investigation of the crash was conducted by I/C Constable Nigel Housego, an experienced crash investigator. I am satisfied that I/C Constable Housego is qualified to express the opinions contained in the crash investigation report and the affidavit he swore in the coronial investigation.

I/C Constable Housego provided the following opinion as to the cause of the collision:

"It is my opinion that this fatal crash has occurred due to reasons that can only be attributed to Mr Johnson.

The time distance analysis found that Mr Giri could not have taken any action to avoid this collision. It is my opinion that Mr Giri has been driving in a prudent manner. No responsibility for this collision can be attributed to him.

The weather was fine and visibility good. The traffic signals were working correctly, and the white painted roadway markings were in good condition and clearly visible.

Prior to this fatal collision, in the previous 20 years, since February 2000, there has been a total of 68 vehicle collisions recorded as occurring at this intersection. Of these, 16 resulted in minor injuries or first aid treatment only and the rest were property damage collisions. This is an average of 3.4 collisions a year with less than 1 minor injury a year. This is a high-volume intersection, often congested, and likely is the location of rear end collisions due to the volume of traffic in the area. This 20-year old history indicates that this intersection is not a high-risk intersection and generally a safe intersection.

Mr Johnson has never held any form of motorcycle licence and therefore has never demonstrated that he is capable of safely riding a motorcycle on a public street. He has posted YouTube videos that, in my opinion as a motorcycle instructor, provide evidence that he is not a competent rider. These videos also provide evidence that Mr Johnson regularly engaged in risk taking behaviour, by travelling at high speeds and overtaking other vehicles in an unsafe manner.

Mr Johnson has been riding the high-powered Kawasaki motorcycle at a minimum of 99km/h in the 60km/h sign posted zone in the Launceston CBD. He has disobeyed a right turn arrow and a red traffic light, overtaking traffic stopped at the red light.

His pleural cavity blood alcohol level at the time of his death is recorded as being 0.174 grams of alcohol per 100 millilitres of blood. A level that, Forensic Scientist Neil McLachlan-Troup states, has caused him to be 20 to 50 times more at risk of being involved in a crash than a driver with nil alcohol. He has also stated that at higher concentrations of alcohol, there is a loss of critical judgement, incoordination, reduced perception and awareness. Given this information, the level of alcohol in Mr Johnson's body has likely been a contributing factor in the collision."

I accept the opinions expressed by I/C Constable Housego.

YouTube

During the course of the investigation, it was found that Mr Johnson had a YouTube channel. He had posted eight videos, the first on 6 April 2020. Most contained footage he had captured on his GoPro and relate to various locations around the Launceston area. The videos, according to I/C Constable Housego, display poor riding skills and ability, and a complete

disregard to other road users. He is recorded at speeds of up to 260km/h in various speed zones, overtaking on the left, between vehicles, and even passing road warning signs at speeds of 140km/h. I accept the opinion expressed by I/C Constable Housego regarding Mr Johnson's ability to ride a motorcycle. I note that he showed little regard for the road rules of this state and drove his motorcycle in a manner which posed significant risk to himself and other members of the community.

Comments and Recommendations

The circumstances of Mr Johnson's death are not such as to require me to make any recommendations pursuant to Section 28 of the *Coroners Act 1995*.

I wish to **comment** that this crash would not have occurred had Mr Johnson been riding his motorcycle in an appropriate and lawful manner.

This case is a further example of the consequences that flow from an individual's decision to drive a motorcycle at high speed and in a dangerous manner.

I note that a significant number of members of the public were exposed to the aftermath of the crash along with first responders.

I extend my appreciation to investigating officer, I/C Constable Housego, for his investigation and report.

Dated: 24 May 2021 at Hobart in the State of Tasmania.

Andrew McKee
Coroner