



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 Nigel Douglas Suter

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

- a) The identity of the deceased is Nigel Douglas Suter;
- b) Mr Suter died from injuries sustained in a motor vehicle crash;
- c) The cause of Mr Suter's death was respiratory failure from blunt trauma to the chest;
and
- d) Mr Suter died on 20 April 2021 at the Royal Hobart Hospital, Hobart, Tasmania.

Introduction

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

- Police Report of Death for the Coroner;
- Tasmanian Health Service – Death Report to Coroner;
- Affidavits establishing identity and life extinct;
- Report – Dr Donald Ritchey, State Forensic Pathologist;
- Report – Forensic Science Service Tasmania;
- Ambulance Tasmania records;
- Medical Records – Tasmanian Health Service;
- Patient Health Summary – Ochre Medical Centre, St Helens;
- Affidavit – Ms Crystal Suter, sworn 14 May 2021
- Affidavit – Ms Alison Melia, sworn 26 April 2021;
- Affidavit Mr Terence Irwin, sworn 20 May 2021;

- Affidavit – Mr Gregory Stewart, sworn 26 April 2021
- Affidavit – Mr Jason Dowling, sworn 1 May 2021;
- Affidavit – Intensive Care Paramedic Darren Hendry, sworn 1 May 2021;
- Affidavit – Sergeant Joshua Hayes, sworn 13 June 2021 (and photographs);
- Affidavit – First Class Constable Nigel Housego, sworn 17 May 2021 (and sketch plan);
- Affidavit – Mr Casey Perkins, Transport Safety and Investigation Officer, sworn 10 May 2021;
- Affidavit – Constable Marcus Williams, sworn 4 June 2021 (and photographs); and
- Affidavit – Michael Maher (Tasmania Police – rank not stated), sworn 27 May 2021 (and photographs).

Mr Suter suffered what proved to be fatal injuries when the car he was driving on Argonaut Road, St Helens, near the junction of that road with Heritage Road, left the road and collided with a large gumtree. The crash occurred on 16 April 2021. No one saw the crash, but a member of the public, who lived nearby, heard it and called emergency services. Police officers and personnel from Ambulance Tasmania attended. Mr Suter was taken by ambulance to the local hospital. During the afternoon, his condition deteriorated and Mr Suter was airlifted to the Royal Hobart Hospital where he was immediately admitted to the Intensive Care Unit. Mr Suter's condition continued to deteriorate and he died just before midnight on Tuesday, 20 April 2021.

Mr Suter's body was formally identified and then examined by the State Forensic Pathologist, Dr Donald Ritchey. Dr Ritchey provided a report in which he expressed the opinion that the cause of Mr Suter's death was respiratory failure as a result of blunt trauma to his chest sustained in the motor vehicle crash. Dr Ritchey noted Mr Suter had suffered multiple rib fractures. I accept Dr Ritchey's opinion. It is evident that Mr Suter's death was due, in part, to the fact that he had a pre-existing condition of severe emphysema which made much worse the injuries he sustained in the crash.

Blood samples taken at the St Helens Hospital were subsequently analysed at the laboratory of Forensic Science Service Tasmania. Those samples proved negative for the presence of alcohol but positive for the presence of cannabis.

It was not until after Mr Suter's death that investigation in relation to the circumstances of the crash occurred. No criticism should be made of police for not commencing that investigation until then – quite reasonably it was considered to be only a minor crash at the time it occurred.

Mr Suter's car was examined by a Transport Inspector. The Inspector found Mr Suter's vehicle to be in a well maintained condition and did not identify any defect or mechanical condition which caused or contributed to the happening of the crash.

Experienced road traffic crash investigator, First Class Constable Housego, reviewed the circumstances of Mr Suter's crash. He concluded that speed was not a factor in Mr Suter's crash. I accept Constable Housego's opinion. Evidence at the scene indicates Mr Suter was wearing a seatbelt and that his vehicle was fitted with a driver airbag that activated. The road itself, constructed of coarse aggregate bitumen mix, was in a moderate condition. Nothing at the scene suggested that the surface, or weather conditions, caused or contributed to the happening of the crash. There is no evidence of the involvement of any other person in the happening of the crash either.

In summary, there is no evidence of any of the involvement of any other person in Mr Suter's death. Alcohol and speed did not play any role in the happening of the crash. His vehicle was mechanically sound, the roadway in reasonable condition and weather conditions benign. Why Mr Suter left the road and crashed into the gumtree is not something that can be determined.

Comments and Recommendations

The circumstances of Mr Suter's death 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 Mr Suter.

Dated: 20 September 2021 at Hobart in the State of Tasmania.

Simon Cooper
Coroner