



MAGISTRATES COURT of TASMANIA

CORONIAL DIVISION



Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Olivia McTaggart, Coroner, having investigated the death of Chuak John Jock

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

- a) The identity of the deceased is Chuak John Jock;
- b) Mr Jock died as a result of injuries sustained in a motor vehicle crash on 29 April 2016;
- c) The cause of Mr Jock's death was multiple injuries sustained in a motor vehicle crash;
and
- d) Mr Jock died on 29 April 2016 on the Channel Highway, Margate, Tasmania.

In making the above findings I have had regard to the evidence gained in the comprehensive investigation into Mr Jock's death. The evidence comprises an opinion of the forensic pathologist who conducted the autopsy, relevant police and witness affidavits, medical records and reports, and forensic evidence.

Mr Jock was born in Itang, Gambela Province, Ethiopia on 10 September 1986 and he was aged 29 years at the time of his death.

His father was John Jock Duac Toang (deceased) and his mother is Nyaroub Reng. Mr Jock was the eldest of five children. His two younger brothers are deceased. He is survived by two younger sisters.

Mr Jock and his father moved to Melbourne in 2003 due to the war in Sudan. The remainder of his family arrived in Melbourne in 2008.

Mr Jock was educated in Victoria and studied Media at a technical college. He moved to Tasmania in 2009. At the time of his death he was completing a degree in Film and Television. He had previously worked at the BBC and the ABC. He had also worked with homeless youth in Tasmania and in Victoria.

Mr Jock attained his driver's licence when he turned 18 years of age. He drove vehicles in Victoria and Tasmania. The vehicle he was driving at the time of the crash was given to him by a friend shortly after he arrived in Tasmania. His uncle, who made a statement for the

coronial investigation, described him as a good driver, a quiet boy and a hard worker. He stated that Mr Jock was determined and wanted to help the community.

Mr Jock was healthy and did not suffer from any major illnesses.

At approximately 9.05pm on 29 April 2016, Mr Jock was driving home in his registered Toyota Camry sedan having completed a work shift at Tassal, his current employer. He was driving in a northerly direction on the Channel Highway from the direction of Kettering towards Margate. He was the sole occupant of the vehicle and was wearing a seatbelt. It was not raining at the time, but it had been raining earlier and the road was damp. The road way comprised a single carriageway in each direction.

While negotiating a sweeping left hand curve, Mr Jock lost control of his vehicle and crossed the double continuous white lines onto the incorrect side of the road. It appears that the loss of control may have been due to an initial and inadvertent crossing over the gravel road edge on his side, with a subsequent attempt to correct the vehicle's position by oversteering into the oncoming carriageway. Mr Jock's vehicle collided with a Volkswagen Golf hatch being driven in the opposite direction by Mr Michael Mortensen. The crash occurred outside 1892 Channel Highway, Margate in a residential area.

Mr Mortensen was the sole occupant of the vehicle he was driving and was wearing a properly adjusted seatbelt. In his interview with police, Mr Mortensen stated that he only saw the oncoming vehicle driven by Mr Jock a matter of one or two seconds before impact and had no time to apply the brakes or attempt other evasive action. Mr Mortensen said that he had no recollection of seeing any headlights from the other vehicle and maintained that he had remained in his lane. I accept Mr Mortensen's account as correct, as it accords with the objective evidence of the crash.

There were no eyewitnesses to the actual crash. However, the crash was heard by Mr Robert McConnell who resides on Channel Highway. The crash occurred outside his home. In his affidavit for the investigation, Mr McConnell described hearing a "short skid on the road" and then a loud bang.

Assistance was provided by a neighbouring resident who contacted emergency services as well as an off-duty police officer and her mother, a qualified nurse. Mr Jock appeared to have an obvious head injury and was in cardiac arrest. He was treated at the scene by ambulance paramedics and conveyed to the Royal Hobart Hospital under CPR. However, he was pronounced deceased shortly after arrival. Mr Mortensen was seriously injured in the crash, sustaining injuries to his back and bowel. He was hospitalised for a number of weeks.

A thorough investigation and analysis of the scene was undertaken by experienced crash investigator, Senior Constable Kelly Cordwell, with assistance from Sergeant Rod Carrick and Constable Adam Hall, also experienced crash investigators.

A speed analysis of both vehicles was conducted by Constable Cordwell. It was found that both vehicles were travelling at a speed that was under the designated 80km/h speed limit for the stretch of road where the crash occurred.

Transport inspections were carried out upon the two vehicles. The transport inspector found that the Toyota Camry driven by Mr Jock was not in a roadworthy condition prior to the crash, mainly due to three tyres having insufficient tread. The Volkswagen driven by Mr Mortensen was found to be in a roadworthy condition prior to the crash.

The toxicological evidence indicates that neither alcohol nor illicit drugs were consumed by either driver. Neither driver was distracted by use of mobile phones.

Unfortunately, the crash was caused by a driving error by Mr Jock in losing steering control of his vehicle. Mr Mortensen could not stop in time to avoid Mr Jock's vehicle which had only crossed onto the incorrect side of the road 15 metres before impact. The evidence indicates that he had insufficient perception reaction time to take evasive action.

The combination of damp road conditions and the lack of sufficient tread on at least two of the tyres on Mr Jock's car were contributing factors in the crash.

Dr Donald Ritchey, forensic pathologist, conducted an autopsy upon Mr Jock. He found that there was widespread brain injury in addition to severe traumatic injuries of the chest. Dr Ritchey concluded that the cause of death was multiple blunt traumatic injuries sustained in a motor vehicle crash. I accept the conclusions of Dr Ritchey.

Comments and Recommendations:

I extend my appreciation to investigating officer, Senior Constable Kelly Cordwell, for her investigation and report.

The circumstances of Chuak John Jock'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 Chuak John Jock.

Dated: 25 September 2017 at Hobart in the State of Tasmania.

Olivia McTaggart
Coroner