



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 Rodney Dennis Lockley

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

- a) The identity of the deceased is Rodney Dennis Lockley;
- b) Mr Lockley died as a result of injuries sustained in a four wheeled all-terrain vehicle ("ATV") crash;
- c) Mr Lockley's cause of death was multiple blunt traumatic injuries; and
- d) Mr Lockley died on 22 December 2019 at the Royal Hobart Hospital, Tasmania.

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

- The Police Report of Death;
- An opinion of the Forensic Pathologist who conducted the autopsy;
- Toxicology report regarding analysis of Mr Lockley's blood sample;
- Crash analysis evidence from Constable Jared Gowen of Southern Crash Investigation Services;
- Affidavit of Susan Lockley, the wife of Mr Lockley;
- Affidavits of Erhard Vinkmann and Kenneth Marsh, witnesses at the scene;
- Affidavit of Constable Todd Melville, who attended the scene and investigated Mr Lockley's death;
- Report of a transport inspector regarding the condition of the ATV;
- Police records and information;
- Mr Lockley's medical records and reports; and
- Forensic evidence and photographs.

Rodney Dennis Lockley was born in Hobart on 10 January 1968 and was aged 51 years at the time of his death. He married Susan Lockley in 1998 and they have two sons together, Troy and Nash.

Mr Lockley grew up in Hobart. At the time of his death, he was living with his family at South Bruny. Mr Lockley had significant links to Bruny Island, with his parents living next door to his residence and other relatives living nearby.

Mr Lockley was skilled in mechanical trades and, in particular, bodywork repairs on vehicles. Mr Lockley operated Bruny Island Body Works. He also operated, with his wife, a business providing home and gardening services.

Mr Lockley had a long association with motorcycles, having owned and ridden them for his entire life. Mr Lockley was known by members of the local community to be a competent motorcycle rider.

In about 2013 Mr Lockley sustained a back injury after he fell through a roof. As a result, he could not work full time and commenced receiving a disability pension. He regularly saw his general practitioner at the Snug Medical Centre. The medical records indicate that Mr Lockley was prescribed various medications, including medications for pain, depression, anxiety, alcoholism and hypertension.

It appears that his health was reasonably stable in the period before his death. However, Mr Lockley consumed alcohol heavily. He had been convicted of seven drink driving offences since the 1980s. Medical records indicate that he reported consuming six to 12 stubbies of beer on a daily basis. He also consumed alcohol to intoxication in “binges”. Mr Lockley participated in a rehabilitation program at the Bridge Centre in Hobart in July 2019, however he returned to drinking alcohol soon after being discharged from the program.

Circumstances of Death

In the afternoon of Thursday, 19 December 2019, Mr Lockley had been spraying weeds at a family property bordering his own property. He was consuming beer whilst doing so. He was operating a registered 2013 Polaris Sportsman 4-wheeled ATV (“quad bike”) at the time. Mr Lockley had owned the vehicle for approximately three months. Its registration had expired in 2016 and therefore it was not able to be lawfully driven upon a public street.

The ATV itself was of similar design to the standard type of quad bike; there being four large wheels with low pressure tyres, a short wheel base, narrow track and relatively high centre of gravity. It is ridden by straddling a seat, placing feet on footrests and holding handle bars (similar to a motorcycle).

At approximately 5.50pm Mr Lockley rode his ATV along Wooreddy Road, a public street on South Bruny. It appears that he was riding back to his home. He was wearing an open-face motorcycle helmet. There are farm tracks connecting Wooreddy Road with Mr Lockley's own property, but Mr Lockley chose to ride his ATV on the public road.

As Mr Lockley was travelling in a northerly direction approaching Bruny Island Main Road, he began skidding and lost control of the vehicle as it turned broadside. Mr Lockley came off the vehicle as it rolled. Mr Lockley's head struck the hard gravel road surface and he landed in the middle of Wooreddy Road. The vehicle rolled a number of times and came to rest in an upright position on the side of the road. The crash was not witnessed by any person and, as will be noted further, my finding relies upon the subsequent expert crash reconstruction.

A passing truck driver, Mr Erhard Vinkmann, located Mr Lockley and called 000. Other persons, including Mr Kenneth Marsh, stopped to provide assistance to Mr Lockley who was unconscious and unresponsive. Police arrived shortly afterwards and assisted in providing CPR until ambulance officers and district nurses arrived. The police helicopter was tasked to attend and, once it arrived, the on-board paramedics took over the care of Mr Lockley. Mr Lockley was conveyed to the Royal Hobart Hospital where he subsequently died as a result of his severe injuries on 22 December 2019. He donated his kidneys and eyes.

The State Forensic Pathologist, Dr Donald Ritchey, examined Mr Lockley's body and medical records. Dr Ritchey expressed the opinion that the cause of death was multiple blunt traumatic injuries. In particular, Dr Ritchey reported that he had suffered severe chest injuries.

Blood samples taken from Mr Lockley were subsequently analysed by Forensic Science Services Tasmania. The toxicological analysis reveals that Mr Lockley had a highly elevated blood alcohol concentration - 0.286g/100mL- almost six times the legal blood alcohol concentration limit for driving upon a public road. Such a high level would impair driving performance to the point of being unable to properly control a motor vehicle. The benzodiazepine, diazepam, was also detected in Mr Lockley's sample which likely exacerbated his impaired driving performance.

A crash analysis was undertaken from scene information by crash investigator, Constable Jared Gowen. In the report, Constable Gowen, in conjunction with crash investigator Senior Constable Adam Hall, determined that Mr Lockley applied the auxiliary brakes to the rear wheels (using his foot lever) in a manner that caused the ATV to skid and become "broadside". The inertia of Mr Lockley's weight increased the tilt of the vehicle to the left. The ATV then

rolled onto its left side and Mr Lockley was thrown off onto the road, where he was located by Mr Vinkmann.

A vehicle inspection of the ATV was undertaken by Mr Paul Wells, Transport Inspector. Mr Wells found the vehicle to be in a well-maintained condition with only minor damage consistent with the incident. I am satisfied that the ATV had no mechanical faults which contributed to the crash. The manner in which it was ridden at the time of the crash, however, was outside its proper operating guidelines. The speed at which near maximum braking was applied, to bring about a skid action, was determined to be between 50 and 54 km/h. While not being in excess of the posted speed limit on Wooreddy Road, this speed was excessive for the vehicle and the fact that it was approaching the intersection with Bruny Island Main Road.

I am satisfied that the weather conditions and condition of the road, did not contribute to the crash.

Comments and Recommendations

Mr Lockley died as a result of riding his ATV at an excessive speed and whilst affected by alcohol. These factors resulted in him losing control of it, crashing and sustaining fatal injuries.

For many years, coroners across Australia have been concerned with the number of deaths associated with the use of ATVs (or “quad bikes”). These vehicles have a tendency to tip or roll over when moving at speed, on rough ground or upon an incline. The rider, having little protection, may be crushed under the vehicle or thrown from it.

In Tasmania in 2017, Coroner Cooper handed down comprehensive findings after an inquest into seven quad bike related deaths¹, which findings contained eight recommendations directed towards reducing further injuries and deaths. In his findings, Coroner Cooper commented that riding a quad bike whilst affected by alcohol is inherently dangerous and no-one should do so. I reiterate this comment.

I extend my appreciation to investigating officers, Constable Todd Melville and Constable Jared Gowen for their thorough investigation.

¹ See quad bike related deaths of Heather Dawn Richardson, Jan Severin Jensen, Kendall Russell Bonney, Vicki Mavis Percy, Jay Randall Forsyth, Jacob Graham Green and Roger Maxwell Larnar 2017 TASCDC 329 330 331 332 333 334 and 335

I also note the commendable efforts of those persons at the scene who attended to Mr Lockley.

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

I convey my sincere condolences to the family and loved ones of Mr Lockley.

Dated: 29 September 2020 at Hobart Coroners Court in the State of Tasmania.

Olivia McTaggart
Coroner