



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 Jayden John Pearce

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

- a) The identity of the deceased is Jayden John Pearce;
- b) Mr Pearce was born in Launceston on 18 April 2000 and he was aged 18 years at the time of his death. He was single and was living with his parents in Ravenswood. He was born to Bruce and Lynette Pearce and had seven siblings.

On the afternoon of 25 December 2018, Mr Pearce went to a Christmas gathering at his aunt's house. Mr Pearce's best friend, Jackson Spratt, was also present. At about 3.00pm, after being at the gathering for about an hour, Mr Pearce and Mr Spratt decided to go to Mr Spratt's grandfather's house at Pipers Rivers Road.

Mr Spratt, aged 18 years, had a current Tasmanian PI licence. He drove a 2001 Kia Rio sedan, purchased by him a week previously. Mr Pearce was a front seat passenger in the Kia for the journey. Both he and Mr Spratt had their seatbelts on, and Mr Spratt was alert and not tired. At 3.50pm Mr Spratt was driving in a northerly direction on Pipers River Road near Lower Turners Marsh. The road comprised one lane for each direction of travel.

At the same time, Elizabeth Quill, aged 34 years, was driving a 1994 Ford Laser hatch in a southerly direction on Pipers River Road. She had a full Tasmanian car and motorcycle licence. Her dog was seated on the front passenger seat.

At a time shortly before the crash, Ms Quill drove onto the incorrect side of the road. This act of driving was due to inattention on her part. It was not deliberate and she was not asleep. Mr Spratt noticed Ms Quill's vehicle approaching in the incorrect lane, being the lane in which he was travelling correctly. He braked hard and swerved right, trying to avoid a collision with the upcoming vehicle. Unfortunately, he was not

able to avoid the frontal crash, which resulted in extensive damage to both vehicles. Both drivers only suffered minor injuries and remained conscious. However, Mr Pearce was rendered unconscious, having suffered severe traumatic brain injury. Despite assistance at the scene and hospitalisation, his injuries were not survivable. He received palliative care and passed away on 29 December 2018. He donated his organs.

A thorough crash investigation commenced immediately after the accident led by Constable Kelly Hindle of Northern Crash Investigation Services. I am satisfied as a result of that investigation that the weather and road conditions played no part in the crash. I am satisfied that there were no defects in relation to either vehicle that contributed to the crash. It does not appear from the investigation that there was excessive speed on the part of either vehicle.

Blood samples were taken from both drivers for analysis. The result of the analysis indicates that both drivers had illicit drugs present in their blood samples. Mr Spratt had smoked cannabis on the night before the accident. Ms Quill told police that she had last smoked methamphetamine in the early morning of 24 December.

I am satisfied that Mr Pearce died as the result of Ms Quill's act of driving on the incorrect side of the road and into the path of the vehicle driven by Mr Spratt. Ms Quill, in her police interview, said that she was unable to remember the moments before the collision or why she was driving on the incorrect side of the road. It is possible that she was fatigued, as phone records indicate that she was not home at 1.54am and that she was engaged on a phone call until about 2.20am that morning. I cannot make any finding upon the effects of her methamphetamine use on 24 December or even whether she gave police a correct account of the time of her last use. I am not required to resolve that issue in this finding in order to fulfil my functions under the Act.

Ms Quill was charged with causing death by negligent driving and pleaded not guilty to the charge. On 1 June 2021 in the Launceston Magistrates Court, Magistrate Brown found Ms Quill to be guilty of the offence and sentenced her to a period of 3 months imprisonment wholly suspended for 2 years on the condition that she commit no imprisonable offence during that period. His Honour also disqualified Ms Quill from driving for a period of 2 years. In sentencing, His Honour found that Ms

Quill caused the crash and the death of Mr Pearce by reason of a lapse of attention whilst driving. He noted the devastating consequences of her actions for Mr Pearce's family and the community generally.

I am satisfied upon the evidence that Mr Spratt took all reasonable action to avoid the crash.

- c) Mr Pearce died on 29 December 2018 at the Royal Hobart Hospital, Hobart Tasmania.

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

- The Police Report of Death for the Coroner;
- An opinion of the forensic pathologist who conducted the autopsy;
- The results of toxicological analysis of samples of Mr Pearce taken at the time of admission to hospital;
- The results of toxicological analysis of samples from Jackson Spratt taken after the crash;
- The results of toxicological analysis of samples from Elizabeth Quill taken after the crash;
- Affidavits of life extinct and identification;
- Affidavit of Lynette Pearce, mother of Mr Pearce;
- Affidavit of Jackson Spratt, driver of the vehicle involved in the crash;
- Affidavits of Michael Kelly, Sandra Kregor(off-duty police officer) and Dita Campbell (former police officer), witness to the aftermath of the crash;
- Police interview with Elizabeth Quill;
- Affidavit of Barry Spencer, Transport Officer, who inspected the vehicles involved in the crash;

- Affidavits from three officers of Northern Crash Investigation services, together with driver input testing reconstruction videos and scene sketches;
- Report of the primary crash investigator, Constable Kelly Hindle;
- Affidavits of two Forensic Services officers;
- Records from Ambulance Tasmania;
- Records from the Tasmania Health Service;
- Records from the Ravenswood Community Health Centre;
- Forensic and photographic evidence;
- Court victim impact statements made by members of Mr Pearce's family; and
- Transcripts and recordings of the sentencing of Ms Quill and Mr Spratt.

Comments and Recommendations

I extend my appreciation to investigating officer, Constable Kelly Hindle, for her thorough investigation and report in this tragic case.

The circumstances of Mr Pearce'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 Jayden John Pearce.

Dated: 15 November 2021 at Hobart Coroners Court in the State of Tasmania.

Olivia McTaggart
Coroner