



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 Leon Gordon Cupit

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

- a) The identity of the deceased is Leon Gordon Cupit;
- b) Mr Cupit died as a result of injuries sustained by him as the rider of a motorcycle which collided with a motor vehicle. Speed, drugs, alcohol, weather conditions, the road surface and the actions of the driver of the motor vehicle involved did not cause or contribute to the happening of the crash. Both Mr Cupit's motorcycle and the other vehicle involved were mechanically sound. The evidence satisfies me that the crash was the result of inattention on the part of Mr Cupit;
- c) The cause of Mr Cupit's death was chest and leg injuries, in particular a fracture dislocation through T4/T5 of the spine and massive compound fracture of the left femur with probable exsanguination; and
- d) Mr Cupit died on 25 April 2021 near the intersection of Colebrook Road and Barton Vale Road, Campania, Tasmania.

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

- Police Report of Death for the Coroner;
- Affidavits establishing identity and life extinct;
- Report – Dr Christopher Hamilton Lawrence, Forensic Pathologist;

- Report – Forensic Science Service Tasmania;
- Report – Mr Paul Ralph Wells, vehicle inspector;
- Affidavits of relevant witnesses; and
- Forensic, road survey, and photographic evidence.

Mr Cupit died as a result of injuries sustained by him when, as the rider of a mechanically sound Triumph motorcycle, he attempted to overtake, and collided with, a vehicle travelling in the same direction as him. The collision occurred in an area of road delineated by double white continuous lines that expressly prohibited overtaking.

No other person caused or contributed to the happening of the crash which claimed Mr Cupit's life.

Comments and Recommendations

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

The circumstances of Mr Cupit'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 Cupit.

Dated 4 February 2022 at Hobart in the State of Tasmania.

Simon Cooper
Coroner