



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 Thomas Pereira

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

- a) The identity of the deceased is Thomas Pereira;
- b) Mr Pereira died from injuries sustained in a motor vehicle crash;
- c) The cause of Mr Pereira's death was bilateral pneumothoraxes due to or as a consequence of his ejection from a motor vehicle; and
- d) Mr Pereira died between 9 and 10 January 2021 at 174 Exton Road, Exton, Tasmania.

Introduction

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

- Police Report of Death for the Coroner;
- Report – Dr Andrew Reid, Forensic Pathologist;
- The results of toxicological analysis of samples taken at autopsy;
- Affidavits confirming identity and life extinct;
- Affidavit - Alevio Alvers da Costa, sworn 19 January 2021;
- Affidavit - Andrew Terry, sworn 14 January 2021;
- Affidavits - Jainito Alves Da Costa, sworn 10 January 2021, 11 January 2021;
- Affidavit - Zairo Barereto, sworn 10 January 2021;

- Records – Ambulance Tasmania;
- Affidavit – Mr Casey Perkins, Transport Safety and Investigation Officer, sworn 1 February 2021;
- Affidavit – attending and investigating police officers; and
- Forensic and photographic evidence.

Background

Mr Pereira was born in Maliana, East Timor on 14 January 1995. At the time of his death, he was aged 25 years, married and working as a seasonal worker for Tasmanian Berries Pty Ltd at Exton.

Circumstances of Death

During the evening of 9-10 January 2021, Mr Pereira, after having consumed alcohol and whilst not wearing a seat belt, lost control of a Volvo sedan on a gravel farm road. He was thrown from the vehicle, suffered massive injuries and died at the scene.

Mr Pereira's body was found the next morning. After formal identification, it was taken by mortuary ambulance to the Royal Hobart Hospital. At the RHH, experienced forensic pathologist Dr Andrew Reid examined his body. Dr Reid found that Mr Pereira had suffered multiple injuries of the head, face and chest. Of particular significance, and the direct cause of death, were bilateral pneumothoraxes.

Samples taken at autopsy were subsequently analysed laboratory of Forensic Science Service Tasmania. That analysis showed that the samples had a blood alcohol level of 0.119 g per 100 mL of blood. A blood concentration at that level alone has the potential impair driving performance significantly.

The vehicle that Mr Pereira was driving was subsequently examined by a Transport Safety and Investigation Officer, Mr Casey Perkins. Mr Perkins identified that the vehicle was non-compliant because of issues associated with insufficient tyre tread depth and the transmission range selector.

I am however unable to conclude that either or both of those vehicle deficiencies either caused or contributed to the happening of the crash.

Comments and Recommendations

The circumstances of Mr Pereira's death are not such as to require me to make any recommendations pursuant to Section 28 of the *Coroners Act 1995*. I do however **comment**, this death was yet another entirely avoidable, being the result as it was of driving a motor vehicle after consuming alcohol and failing to wear a seatbelt.

I convey my sincere condolences to the family and loved ones of Thomas Pereira.

Dated: 12 November 2021 at Hobart in the State of Tasmania.

Simon Cooper
Coroner