



# Norfolk Island Government Gazette

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NORFOLK ISLAND GOVERNMENT GAZETTE NO. 54

Friday 12 December 2014

CORONERS COURT  
NORFOLK ISLAND

NO. COR 1 OF 2014

## INQUEST INTO THE MANNER AND CAUSE OF DEATH OF BRITNEY QUINTAL-CHRISTIAN WHO DIED ON OR ABOUT 8<sup>TH</sup> JUNE 2014

DATE 12<sup>TH</sup> DECEMBER 2014

### FINDINGS:

I, Warren Donald, Coroner, having investigated the death of Britney Quintal Christian, with an inquest held on Norfolk Island on 12<sup>th</sup> JUNE 2014, find as follows:

- (a) That at about 3.18am on Saturday 8<sup>th</sup> June 2013 at Collins Head Road, Norfolk Island, a person identified as Britney quintal Christian and who was aged 19 years, died from the effects of multiple injuries including severe and traumatic head injuries sustained in a motor vehicle accident when the vehicle she was driving left the roadway and collided with an electric power pole.
- (b) That the cause of death of the deceased was a head injury sustained in a motor vehicle collision in which she was a driver.
- (c) That cause of death was established by a post mortem examination of the body of the deceased.
- (d) The death was not from natural causes.
- (e) There is no evidence before the Court from which it could be concluded that the deceased had any intention of taking her own life.
- (f) That as to her manner of death I find that immediately prior to her death, the deceased was driving her Mazda Astina motor vehicle (registered number NI 380) at speed. The deceased lost control of that motor vehicle such that the motor vehicle left the roadway and collided with a power pole which was located, in turn, on an embankment on the roadside.
- (g) Relevant circumstances concerning the death were
  - (i) That immediately prior to her death the deceased was driving her motor vehicle at excessive speed.
  - (ii) That in the hours prior to her death the deceased had used both alcohol and cannabis.
  - (iii) That her use of both cannabis and alcohol in combination made it significantly more likely that she would be involved in a motor vehicle accident if driving.
  - (iv) That at the time of her death the deceased was not wearing a seatbelt.
  - (v) That if the deceased was wearing a seatbelt she was more likely to survive the motor vehicle accident in which she was involved.
  - (vi) The death was a sudden death for which the cause was not known at the time.
  - (vii) The deceased was identified by Peter Martin Davidson.
- (h) The particulars needed to register the death under the *Registration of Births Deaths and Marriages Act 1963* are set out in (b) (c) and (d) above.

**CORONER**  
**WARREN DONALD**

**CORONERS COURT  
NORFOLK ISLAND**

**NO. COR 1 OF 2014**

**INQUEST INTO THE MANNER AND CAUSE OF DEATH OF BRITNEY QUINTAL-CHRISTIAN DECEASED  
CORONERS COURT OF NORFOLK ISLAND – CORONER WARREN DONALD**

The Recommendations and comments of the Coroner were (in addition to the findings) as follows:

1. That a review of the traffic laws of Norfolk Island be conducted to ensure that all appropriate measures are taken to prevent or deter drivers of motor vehicles from driving while under the influence of alcohol or a drug such that their ability to control a motor vehicle is impaired. Such measures should include amendments to the *Traffic Act 2010* of Norfolk Island such that the Australian Road Rules as published from time to time are adopted on Norfolk Island. These legislative changes should include a provision for the random testing of drivers for both alcohol and other drugs (paragraph [60] of the Inquest decision/judgement).
2. That police on Norfolk Island are given the necessary tools to deter and remove drivers from the Island's roads when those drivers have used alcohol to excess or illicit drugs such that their ability to control a motor vehicle on the Island's roads is impaired. As noted, those tools should include the ability to conduct random breath testing and random drug testing. This would require both legislative change and the provision of the necessary technology and equipment to conduct such testing.
3. That further measures be taken (including the acquisition and provision of funding) to improve and promote road safety education programs on Norfolk Island with:
  - Additional emphasis upon the need to wear seatbelts when travelling in a motor vehicle.
  - Additional emphasis upon the dangers of drink driving.
  - Education concerning the dangers of driving after the use of illicit drugs including, particularly, cannabis.
  - Education concerning the little known significant impact upon driving of using even moderate amounts of cannabis or alcohol in combination with the use of the other; and
  - The re-introduction and strengthening of driver education and training for Norfolk Island school students and young adults as well as generally, with such education to emphasize the importance of wearing seatbelts and the effect of the use of drugs and alcohol on driver capacity. (see paragraph [62] of the Coroner's Court decision/judgement)

His Honour the Coroner's reference to the little known significant impact upon driving of using cannabis and alcohol in any combination with each other was based on the evidence of Professor Vanita Parekh.

At paragraph [53] of the coronial judgement, the court noted the professor's oral evidence was "Basically, when you combine THC and alcohol you have severely detrimental effects when you are driving because when people drink alcohol the compensation methods that are used in driving are the same ones that are looked at by the THC. So, instead of having an additive effect, what happens is that these work together to make your driving ability much worse than either of them alone."

At paragraph [55] of the coronial judgement, the Court noted that when the Professor was asked to express an opinion as to the multiplied risk of having an accident for a person driving with the combination of readings revealed in the toxicology report as against a sober person, the professor indicated to the court that:

- a) That for a person driving with a blood alcohol concentration of 0.06g/mL, the risk is multiplied by 2;
- b) That for a person driving with a THC reading of 54g/mL, the risk is multiplied by 9; and
- c) That for a person driving with both alcohol and THC at the levels revealed in the toxicology report, the risk is multiplied by about 50 times" (see court transcript 12 June 2014 at pages 7 and 8).

The above essentially means the following:

1. Where a person drives with .06% blood alcohol concentration in them, they are twice as likely to have a motor vehicle accident.
2. Where a person drives with 54 nanograms per millilitre of blood concentration of cannabis (THC – Delta 9 Tetrahydrocannabinol) in them, they are 9 times more likely to have a motor vehicle accident; and
3. Where a person drives with both such levels of alcohol and cannabis in them, they are 50 times more likely to have a motor vehicle accident.

The court expressed its condolences to the family of the deceased for their tragic loss and expressed its deep appreciation to the Norfolk Island Police Force and the various crash investigation and other forensic experts for the effort and detail which went into the crash investigation, the post mortem autopsy and the preparation of the evidence brief for the court.

Any further media or public statements can be obtained from Minister Ron Ward or from the OIC Norfolk Island Police Force on this matter.

**COUNSEL ASSISTING THE CORONER  
GEOFF ATKINSON, DEPUTY CROWN COUNSEL**