

## CORONER'S COURT OF THE AUSTRALIAN CAPITAL TERRITORY

**Case Title:** Inquest into death of John Wayne Woods

**Citation:** [2019] ACTCD 15

**Findings Date:** 28 October 2019

**Before:** Coroner Hunter

**Decision:** See [19]-[22].

**Catchwords:** **CORONIAL LAW** – cause and manner of death –motor vehicle accident – whether manner of death is suicide – circumstantial evidence of lack of intent

**File Number:** CD 193 of 2019

### CORONER HUNTER:

1. John Wayne Woods died on 3 September 2019 at approximately 09:30 hours on the Monaro Highway at Royalla ACT.
2. The direct cause of death was multiple and massive, unsurvivable lethal injuries sustained as a result of a motor vehicle accident, driven by the deceased colliding with an oncoming truck.
3. The circumstances of the death are complex. Video footage taken from a dashcam on the dashboard of the oncoming truck shows the vehicle driven by the deceased cross onto the wrong side of the road and into the path of the oncoming truck. Both vehicles appear to be driving at the speed limit of 100 km per hour.
4. The footage shows that the deceased was wearing a seat belt and conducted turning manoeuvres prior to the crash. The footage appears to show the deceased's arms are next to his body immediately prior to the crash. There does not appear to be any rapid onset incapacitation of the deceased immediately preceding the impact. The footage raises the possibility of a deliberate collision with the truck.
5. Autopsy was limited to external examination of the body. Toxicology did not reveal anything relevant to cause of death.
6. I note that the examination of the deceased revealed extensive lacerations of both palmar surfaces of the hand typically present when holding a steering wheel at impact.
7. An examination of the deceased's brain was unable to be performed due to the nature of the injuries sustained.
8. On the face of the facts before me, there is an impression that the deceased died as a direct result of his own driving onto the wrong side of the road, purposively colliding with the oncoming truck.

9. However his family including his wife Sue Woods, and his daughters Julia Woods and Melissa Childs (nee Woods) wrote to me expressing their disbelief that Mr Woods would have committed suicide.
10. They have asked that I consider the following factors:
  - (a) The deceased had made a phone call to Cameron Russell of Southern Innovation at 09:10 hours that morning to order supplies for his business. Mr Russell confirmed that he appeared to be his usual self.
  - (b) The deceased made two unanswered calls to Magnet Mart Queanbeyan at 09:18 and 9:27 hours. He was delivering materials to bricklayers as part of his business activity that day.
  - (c) The deceased was back working full time after surviving bowel cancer and had been singing in the shower a few days earlier, something he had not done since his cancer diagnosis.
  - (d) The deceased had left a note telling his surgeon that if he did not survive the operation he knew he had done his best. This was seen as evidence that if he was contemplating suicide, the deceased would have left a note for his family.
  - (e) The deceased had a lot to live for, his life had turned a corner and he was future focused: for example, the deceased had contemplated visiting an old friend on his way back from work that day.
  - (f) The deceased's demeanour that morning was not different from any other morning.
  - (g) The deceased would have never placed another driver at risk of injury by deliberately colliding with them.
11. Julia Woods said that her father had discussed with her on the Sunday prior to his death that he was looking to the future and was glad the chemotherapy and radiation was behind him and that he had beaten cancer.
12. Melissa Childs questioned why her father would go through all of the treatment for cancer only to then take his own life. She stated that he had said that after the completion of the project he was working on, the deceased was planning to build another house for the same client. Ms Childs opined that her father was a man who planned everything in advance, including his diet and keeping a food diary (and had done so for his breakfast that morning), and therefore he was not a man who acted spontaneously.
13. Melissa Childs also said that her father was very proud of his work and cared about delivering quality projects on time for his clients, and that she considered he would not let them down by not finishing a project. She said that her father had planned to change his usual route on the morning he died because of road works and morning traffic in case he needed a toilet stop on the way. It was her belief that he would not ever take his own life and he was of the view that was the coward's way out.

## **Decision**

14. I have reviewed the following material:

- (a) The Police coronial investigation report
  - (b) The dash cam video
  - (c) Post Mortem report
  - (d) Toxicology report
  - (e) Letters from Sue Woods, Julia Woods and Melissa Childs (nee Woods)
15. Having reviewed the material I make the following findings.
16. Having viewed the dash cam footage very carefully, I am satisfied on the balance of probabilities that the evidence is not sufficient to sustain a finding of suicide. That view is supported by the ancillary evidence from the family, particularly the phone calls made just prior to the collision and his forward thinking attitude days before and on the day of the collision, as well as his work ethic in relation to his clients. I have also considered that it is unlikely that the deceased would subject someone else to injury so that he might commit suicide by colliding with a moving truck.
17. I have taken into account that on the dash cam footage, Mr Woods appears to be leaning back with his head extended backwards. I have also considered that the findings in relation to his hands is consistent with him holding the steering wheel. There is no attempt to use his hands to shield his face on impact, which one might expect would be involuntary action. The possibility that he suffered a cerebral medical condition cannot be discounted. No examination of his brain was possible.
18. I cannot say with any certainty that his drifting over to the wrong side of the road shows intention to collide with the truck.

### **Formal Findings**

19. In all the circumstances, in my view there is no need to hold a public hearing in relation to Mr Woods' death. I believe I have all the evidence which exists or is likely to exist which could possibly bear on the decisions I must make. There is no issue about which I would be empowered to hold a public hearing and which in and of itself warrants that course being taken.
20. I find that John Wayne Woods died on 3 September 2019 at approximately 09:30 hours on the Monaro Highway at Royalla ACT.
21. The direct cause of death was multiple and massive, unsurvivable lethal injuries sustained as a result of a motor vehicle, driven by the deceased, colliding with an oncoming truck. I make an open finding as to the manner of Mr Woods' death.
22. No matter of public safety arises in relation to Mr Woods' death, and accordingly I make no recommendations in this matter.
23. I direct that these findings be published in due course on the Coroner's Court website.
24. I extend my condolences to Mr Woods' family and friends.

**MARGARET HUNTER OAM  
CORONER**