

COUNT	DATE	OFFENCE	FACTS	COMPLAINANT	AMOUNT
			<ol style="list-style-type: none"> <li>1. Amphetamine 0.09mg/kg</li> <li>2. Methylamphetamine 0.87mg/kg</li> <li>3. Benzoyllecgonine 0.06 mg/kg</li> <li>4. Fentanyl 0.007mg/kg</li> <li>5. Ketamine 0.22mg/kg</li> </ol> <p>Doctor Nelle van Buuren, Forensic Medical Officer with Queensland Health, states methylamphetamine is broken down in the body to amphetamine and benzoyllecgonine is a metabolite of cocaine. The presence of amphetamine, methylamphetamine and benzoyllecgonine in the defendant's blood can be explained by the consumption of methylamphetamine and cocaine. The absence of a measureable concentration of cocaine makes it likely that the cocaine was consumed a considerable time before the defendant provided the blood sample. It is further likely that the presence of fentanyl and ketamine is due to the medications administered by the paramedics at the crash scene.</p> <p>Dr van Burren opines that the indicia noted by paramedics, namely agitation, combativeness and high anxiety could be attributable to either :</p> <ol style="list-style-type: none"> <li>(i) the release of stimulatory hormones, such as adrenaline, by the defendant's body in response to his injuries and the crash; or</li> <li>(ii) the effect of the methylamphetamine and amphetamine.</li> </ol> <p>Dr van Burren is of the view that the cause of the noted indicia cannot be distinguished between these two possibilities.</p> <p>Dr van Burren is also of the view that there are two possible explanations for the driving behaviour. These are :</p> <ol style="list-style-type: none"> <li>(i) methylamphetamine/amphetamine intoxication. However it is not possible to predict this from the measured blood concentrations; or</li> <li>(ii) the "crash" phase of methylamphetamine/amphetamine consumption, which is characterised by somnolence and fatigue.</li> </ol> <p>Dr van Burren's conclusion is that although one explanation of the defendant's manner of driving could be the effects of methylamphetamine and amphetamine, the measured concentrations of these substances in his blood sample are not able to be used to predict impairment.</p> <p><i>The defendant has been charged with 1x driving whilst relevant drug is present in blood/saliva which is currently listed for mention in Beenleigh Magistrates Court on 18.05.15.</i></p> <p><u>Mechanical Inspections</u></p> <p>The defendant's vehicle was examined by a police mechanic on 11 June 2014. The mechanic's findings can be summarised as follows :</p>		

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			<ul style="list-style-type: none"> <li>• Impact damage consistent with a head-on collision;</li> <li>• The driver's seatbelt failed during the course of the collision, whilst it was being worn. It failed possibly because of its age and the way it which it was worn. The damage is consistent in part with the belt having been ill-fitted through the loop of the seatbelt clasp; i.e. it was not sitting flat and smooth for its full width through the loop.</li> <li>• The rear tyres were in a potentially dangerous tread condition. Both rear tyres were worn to expose the construction layers of their inner tread bands. The majority of the remaining tread widths were devoid of satisfactory tread depth.</li> <li>• The mechanic is of the view that the vehicle appeared to be in a satisfactory mechanical condition with no mechanical defects that would have contributed to the cause of the collision.</li> </ul> <p>The Toyota was also examined on the same date. The mechanic is of the view that the vehicle was in a satisfactory mechanical condition and did not have any mechanical defects that could have contributed to the cause of the collision.</p> <p><u>Recorded Interview</u></p> <p>On 22 July 2014 the defendant participated in a recorded interview with police. He stated that he had held a Driver's License since he was seventeen. He admitted being the driver of the white BMW sedan, which he bought about 1 month prior to the collision. A roadworthy certificate had been issued at the time of purchase.</p> <p>He acknowledged that the collision was head-on and at the time of the collision his vehicle was on the incorrect side of the road. He could not explain why his vehicle was on the wrong side of the road. He stated that he had been travelling from a mates place in Sumner Park to home at Mount Tamborine at the time of the collision. He had never travelled on that road before.</p> <p>The defendant appeared to be vague and have little recollection of the collision itself. He recalls sneezing a few times and then before he knew it he was on the wrong side of the road and it was too late to do anything about it. He recalls the vehicles colliding in the manner described above.</p> <div style="background-color: #cccccc; padding: 10px; text-align: center;">sch. 4/3/3 medical information</div>		

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			<div>sch. 4/3/3 personal information</div> <div>The defendant was served with a complaint and summons on 5 September 2014.</div>		