

R.G. DOUCH L.B. CROWN SOLICITOR  
L. DUNN, LL.B.  
M.N. STURM B.COM, LL.B.  
P.P. CRAYTON, LL.B. GRAY'S INN

BARRISTERS AND SOLICITORS

5TH FLOOR, NZI BUILDING  
GARDEN PLACE, HAMILTON 3204  
NEW ZEALAND  
PHONE: (07) 839 4875  
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DX GP 20023  
P.O. BOX 19173, HAMILTON

Our Reference:

P Cornege:tl (270078/89)

Your Reference:

Senior Sergeant R Bennett-King /  
Constable S Connors (Thames) /  
Constable Cavanagh (Thames)

9 December 2009


Senior Sergeant  
Prosecutions Service  
Police Station  
Private Bag 3078  
**HAMILTON**

Dear Sir

**RE: REGINA -v- DAVID EDWARD TURNER - SENTENCING**

Turner appeared for sentence in the Hamilton District Court on 8 December 2009 before Connell DCJ. Mr Cornege appeared for the Crown and Mr Talbot appeared for Turner.

On the attempting to pervert the course of justice charge, His Honour adopted a 2 ½ year starting point and granted a six month reduction. The end sentence imposed was two years' imprisonment.

The end sentence imposed was four years' imprisonment. In addition, because the perverting the course of justice charge related to Turner's avoidance of responsibility for careless driving causing death, His Honour disqualified Turner from holding or obtaining a drivers licence for a ten month period. 

Thank you for your assistance. Enclosed are the police files.

Please contact the writer if you have any queries.

Yours faithfully

**R.G. DOUCH**  
**CROWN SOLICITOR**

Per: 

**PHILLIP CORNEGÉ**  
Staff Solicitor

IN THE DISTRICT COURT  
AT THAMES

INFORMANT

INDICATELY  
XXXXXXXXXX

JUSSP0001 CC

CRN 0807500

DAVID EDUARD TURNER  
[REDACTED]

Reference No. PRN [REDACTED]  
Tracking No. [REDACTED]

SEX MALE Date of Birth [REDACTED]  
Country of Birth NEW ZEALAND  
Occupation  
Race ARLES LIC. No [REDACTED]  
Type of Case  
Licence issued or renewed by [REDACTED]

I, BRIAN BERNARD CONNORS  
CONSTABLE  
DAVID EDUARD TURNER  
on BETWEEN THE 15TH DAY OF MARCH 2008 AND  
at THE 10TH DAY OF NOVEMBER 2008  
at WAIALA  
CRIMES ACT 1961 SECTION: 115

, of THAMES  
say on oath that I have just cause to suspect and do suspect the

(within the space of six months last past

, did commit an offence against

(JOINTLY DEFENDED WITH ANGELA SUSAN  
NEAL) CONSPIRED WITH ANGELA SUSAN  
NEAL TO PROSECUTE ANGELA SUSAN NEAL  
FOR THE OFFENCE OF CARELESS DRIVING  
CAUSING DEATH KNOWING THAT THE SAID  
ANGELA SUSAN NEAL WAS INNOCENT OF  
THAT OFFENCE.

[REDACTED]

being an offence punishable summarily

CHR 1125 SID

Sworn before me at  
this THAMES  
10TH DAY OF NOVEMBER 2008

DATE OF HEARING:  
MONDAY THE  
10TH DAY OF NOVEMBER 2008 AT 10:30  
District Court THAMES

*[Signature]*  
Justice of the Peace  
(Deputy) Registrar (Not being a Constable)



Reference No. PRN  
Tracking No.

SEX FEMALE Date of Birth  
Country of Birth  
Occupation  
Race C LIC. No.  
Type of Case ARREST  
Licence issued or renewed by

DRISH BERNARD CONNORS  
CONSTABLE  
ANGELA SUSAN BEAT

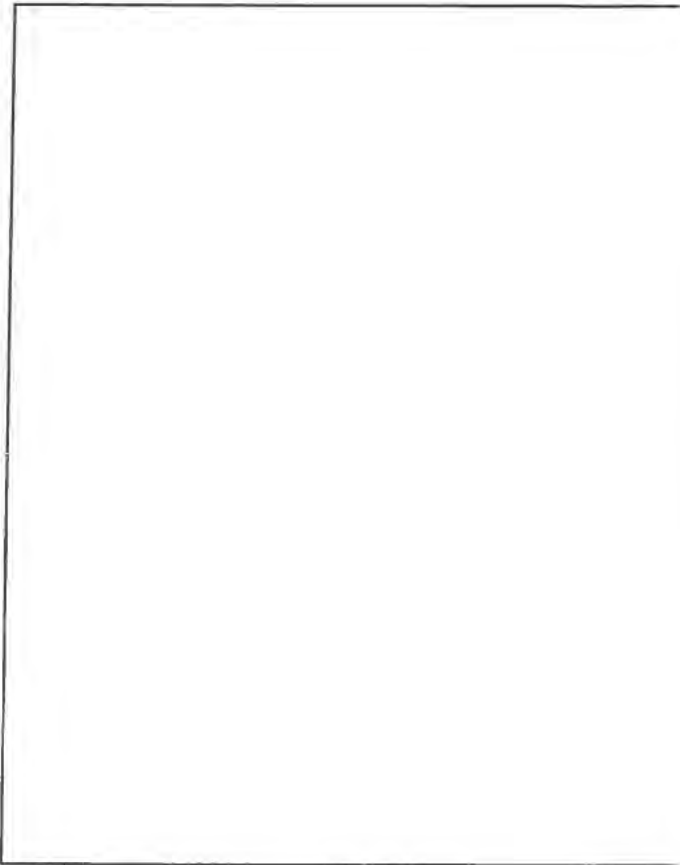
, of THAMES  
, say on oath that I have just cause to suspect and do suspect that tl

(within the space of six months last past, n

n BEHIND THE 10TH DAY OF NOVEMBER 2008  
t THE 10TH DAY OF NOVEMBER 2008  
R0011A  
FRAMES OF THE 10TH DAY OF NOVEMBER 2008

, did commit an offence against

JOINTLY OPERATED WITH OTHERS TO DRIVE  
VEHICLE WITHOUT VALID INSURANCE POLICY  
FOR THE PURPOSE OF DRIVING THE VEHICLE  
ON THE ROAD FOR THE PURPOSE OF EARNING  
DRIVING CAPTURE BEING FORWARDED TO  
THE SAID POLICE AND OTHER RELEVANT  
AGENCIES AT THAT OFFICE.



ing an offence punishable summarily

HR 2125 SID

*[Signature]*

Informant

worn before me at this 10TH DAY OF NOVEMBER 2008

DATE OF HEARING:  
THURSDAY THE  
10TH DAY OF NOVEMBER 2008 AT 8  
District Court THAMES

*[Signature]*  
Justice of the Peace  
(Deputy) Registrar (Not being a Constable)

THE DISTRICT COURT

INFORMANT

CRN

DATE RECEIVED

[Redacted Name]  
 [Redacted Address]  
 [Redacted Phone Number]

Reference No. PRN

[Redacted]

Tracking No.

SEX

Date of Birth

[Redacted]

Country of Birth

NEW ZEALAND

Occupation

Race

LIC. No.

[Redacted]

Type of Case

Licence issued or renewed by

PETER LESLIE FRENCH  
CONSTABLE  
ANGELA SUSAN BEAT

, of THAMES,  
, say on oath that I have just cause to suspect and do suspect that th

(within the space of six months last past, n

ON THE 10TH DAY OF MARCH 2000

, did commit an offence against

ROADS  
LARGE TRANSPORT ACT 1998 SECTION 100

OPERATED A VEHICLE ON A ROAD WITHOUT  
ROAD CARRIAGE AND THEREBY  
CAUSED THE DEATH OF WILFRED DAVID  
BELL ARMSTRONG

[Large empty rectangular box for details]

ing an offence punishable summarily

HR SID

0503

Informant

Sworn before me at  
this

THAMES

DATE OF HEARING:

FRIDAY THE  
25TH DAY OF JULY 2000 AT 9.30 AM

District Court

Justice of the Peace  
(Deputy) Registrar (Not being a Constable)

**CAPTION SHEET**

Police V

**NAME:** David Edward TURNER  
**ADDRESS:** [REDACTED]

**DOB:**  
**OCC:**

Together With

**NAME:** Angela Susan NEAL  
**ADDRESS:** [REDACTED]

**DOB:**  
**OCC:**

**Charge(s):**

**Offence:** Obstruct/Pervert/Defeat course of Justice  
**Act/Section:** Crimes Act 1961  
Section 115  
**Penalty:** 7 years Imprisonment

**WITNESSES**

2 x Police

**EXHIBITS**

**HEARING**

10/11/08

**SUMMARY OF FACTS**

On the 16th March 2008 the DEFENDANTS TURNER and NEAL were in a Nissan motor vehicle registration number [REDACTED] travelling South on Bush Road, NGATEA.

[REDACTED]

At about 11:25 am the driver failed to see an approaching motorcyclist and attempted to turn right into a driveway, across the path of the approaching motorcyclist.

During this manoeuvre the motorcyclist has been unable to take evasive action and an impact has occurred.

As a result of this, the motorcycle rider has died at the scene.

Police were called to the accident scene where the DEFENDANT, NEAL provided a statement stating that she was the driver of the vehicle.

After discussion with the DEFENDANT, TURNER following the crash he also made a statement stating that NEAL was the driver of the vehicle.

Since this time the DEFENDANTS have stuck with their story until Monday the 10th November when NEAL was due to appear in the Thames District Court on a charge of "Careless Causing Death".

At this time the DEFENDANT, TURNER stepped forward and stated that he was the driver on that day.

Both the DEFENDANTS were interviewed and provided statements admitting to the facts as outlined.

In explanation NEAL stated that she was the driver because TURNER did not hold a New Zealand licence and that TURNER had asked her to help him by saying she was the driver. She did not think that there was any malice in what she was doing.

In explanation TURNER stated that he was an unlicensed driver so he asked NEAL to say she was driving as it was for insurance purposes. Later he was wanting to say he was driving but was told "Na Na it's ok".



Reparation is sought for the estimated replacement value of the damaged 1993 Honda CB1000F motorbike to the value of \$3750 Payable to Astrid PEET.

CAPTION SHEET

Police V

NAME: Angela Susan NEAL

ADDRESS:



DOB:

OCC:

Charge(s):

Offence: Careless Causing Death

Act/Section: Land Transport Act 1998  
Section 38

Penalty: 3 months Imprisonment  
\$4500

Min 6 months Disqualification

WITNESSES

EXHIBITS

HEARING

SUMMARY OF FACTS

On the 16th of March 2008 the Defendant NEAL was driving a Nissan motor vehicle registration number [REDACTED] South on Bush Road, NGATEA.

Bush Road has a posted speed limit of 100kmph.

NEAL holds a full drivers licence and she had an associate with her in the vehicle at the time.

At about 11:25 am the defendant failed to see an approaching motorcyclist and attempted to turn right into a driveway, across the path of the approaching motorcyclist.

During this manoeuvre the motorcyclist has been unable to take evasive action and an impact has occurred.

As a result of this impact Gerard Brett Neil ARMSTRONG died at the scene as a result of his injuries.


The defendant is a 41 year old female

[REDACTED]

[REDACTED]



## BRIEF OF EVIDENCE

 to prove:

That is my full name.

I reside at Papamoa.


Gerard Brett Neil ARMSTRONG was my brother.

Gerard was 38 years old at the time of the accident.


He got his motorcycle licence at the age of 15 years.

He has been riding motor bikes since he got his motorcycle licence.

He had owned the Honda motorbike for approximately 2 years.

  
*This statement is true to the best of my knowledge and belief. It has been made by me knowing that it may be admitted as evidence in criminal proceedings and that I may be prosecuted for making a statement known by me to be false and intended by me to mislead.*

## BRIEF OF EVIDENCE

 to prove:

That is my full name.

I reside at Ngatea.

At about 11:25 am on the 16th of March 2008 I was at home and heard the crash.

I looked out the front door and saw the motorcycle rider on the ground.

I went out to assist with first aid.

I attempted to get a pulse at the wrist.

I checked for a pulse on the neck, there was no pulse.

The rider did not respond to any voice commands.

*This statement is true to the best of my knowledge and belief. It has been made by me knowing that it may be admitted as evidence in criminal proceedings and that I may be prosecuted for making a statement known by me to be false and intended by me to mislead.*

10/07 / 07 6

friends

[Redacted]

[Redacted]

[Redacted]

1. V

[Redacted]

Ambulance called him over.  
I didn't check pulse he  
was bleeding.

[Redacted]

while driving the truck  
turning into my driveway.  
to pick up visit.

I heard a scid from my  
bounge, and then a bang.  
Kevin my son-in-law  
was with me.

UN DAY alone fire wattle - den  
800 Corres 7 Shts.  
13/08

ESD

Ptenda Motorbire blank.

[Redacted]

1000 cc

SHH168 2562

Wallet from Const Coker in Auto.  
Firearms license

Arms Trans / Guard / Both / Ver / [redacted]

Property 268.

1455 2000 886599

Nissan Probol [redacted]

14:55 Neighbor ID body at  
Twenty nine - Trid 2  
15:50 In repair job to Dave.  
16:20 10/0.

12:30 Too hot - Vest off.  
12:35 Ph n/c Trid 2

MON DAY a lone fire  
17/3/08

1300 Works show up.

0820 Ph call from deceased  
brother [redacted]

1305. S.C.U Gary. 10/7 [redacted]

Parents coming in re accident.  
He will come for property and  
price (care of legs.)

1440 Arrive Twenty nine  
MON [redacted]

Dad [redacted]

## BRIEF OF EVIDENCE

David Edward TURNER to prove:

That is my full name.

I reside in Kaiaua.

At about 11:25 am on the 16th of March 2008 I was the front seat passenger in a Nissan 4x4, travelling South on Bush Road near Ngatea.

Angela Susan NEAL was the driver.

She was making a right hand turn into the driveway of number 108.

I saw a flash then noticed a bike and its rider on its side sliding straight at us.

He was about 10 meters away prior to impact when I noticed him.

I called 111 for fire an ambulance.

*This statement is true to the best of my knowledge and belief. It has been made by me knowing that it may be admitted as evidence in criminal proceedings and that I may be prosecuted for making a statement known by me to be false and intended by me to mislead.*

## BRIEF OF EVIDENCE

Jeremy NEWELL to prove:

That is my full name.

I am a Police Constable currently working with the Waikato Serious Crash Unit as a Crash Analyst stationed at Hamilton

I have approximately 5 years experience in traffic law enforcement of which 3 have been as a member of a serious crash unit.

My training and qualifications include;

- Crash Reporting and Investigation [May2001]
- Vericom Training Course [VC2000, October 2001]
- Advanced Crash Investigation [November 2001]
- Police Forensic Mapping [April 2002]
- Motorcycle Collision Reconstruction [June 2002]
- Vericom VC3000 familiarisation training [February 2008]
- Crash Analysis (Reconstruction) [September 2008]

I was last appointed to the Waikato Serious Crash Unit in February 2008.

In that time I have attended numerous motor vehicle crashes, and have completed in-depth analysis reports into many serious injury and fatal crashes



## BRIEF OF EVIDENCE

On the afternoon of Sunday the 16th March 2008 I was directed to attend the scene of a fatal motor vehicle crash that had occurred on Bush Road in the area of Kopuarahi.

Due to the road closures the immediate crash area was closed to all traffic except emergency service vehicles.

I carried out a detailed scene and vehicle examination and marked the scene.

At the crash scene I spoke with local police and emergency services personnel. I was introduced to particular items of evidence within the crash scene and also briefed on other matters.

At the crash scene, I seized the vehicles involved in the crash under Section 123 of the Land Transport Act 1998 for the purpose of completing forensic examination of each of the motor vehicles. They were a Honda CB1000F Motorcycle [REDACTED] and a Nissan Patrol [REDACTED]

At the scene I also completed the following;

- I made contemporaneous notes on a crash Attendance Worksheet.
- I took a series of digital photographs using a digital camera.
- I completed a number of roadway friction tests using a Vericom 3000 DAQ dynamometer / accelerometer test computer.

I instructed the Police Forensic Photographer to take a series of photographs at the scene and then later at the Williams Salvage Services company at Hamilton.



## BRIEF OF EVIDENCE

I directed VTNZ Vehicle Testing NZ; Frankton Hamilton Branch to inspect the seized vehicles for the purpose of a post crash forensic inspection.

On the 28th March 2008 I re-attended the scene and carried out forensic mapping with Senior Constable David TIDMARSH.

Subsequent to my attendance I completed a crash analysis report and a fatal notification. The report was based upon the available evidence at that time.

I now seek leave of the Court to refer to the summary section of that report and produce it as an exhibit.

**[produce exhibit].**

I wish to produce a **Photograph Booklet** as an exhibit

**[produce exhibit].**

I wish to produce my **Crash Attendance Worksheets** as an exhibit

**[produce exhibit].**

*This statement is true to the best of my knowledge and belief. It has been made by me knowing that it may be admitted as evidence in criminal proceedings and that I may be prosecuted for making a statement known by me to be false and intended by me to mislead.*

Signed.....

Dated.....28-10-08.....



## BRIEF OF EVIDENCE

Brian Bernard CONNORS states:

My full name is Brian Bernard CONNORS.

I am a Police Constable attached to the Strategic Traffic Unit, based out of Thames.

On the 16th of March 2008, I was on duty at the Thames Police Station.

I was driving a marked patrol vehicle, registration number [REDACTED] and wearing police uniform at the time.

At 11:30 am I was deployed by Comm's to attend a fatal vehicle accident between a 4WD and a motorcyclist, on Bush Road, Ngatea.

At 11:44 am I arrived at the scene.

The motor cyclist was deceased at the scene.

**Id. Defs.** I now identify Angela Susan NEAL and David Edward TURNER as the defendant's in this matter. **(WITNESS TO IDENTIFY DEFENDANTS)**

The Defendant NEAL gave a statement stating that she was the driver of the 4WD.

## BRIEF OF EVIDENCE

I now wish to read this statement to the Court.

"I was travelling south on Bush Road and indicating to turn into the driveway of number 88.

I proceeded to come into the driveway, then the next minute I thought I hit the letterbox.

The noise sounded as though I hit tin.

I stopped and said, "What the fuck was that?"

I could not see anything, then I was told to get out by Bear (aka David E TURNER), then his sister came out of the house.

I just went inside."

**Prod. Stmt** I now wish to produce this statement to the Court. **(WITNESS TO PRODUCE STATEMENT)**

I then spoke to the Defendant TURNER; he stated that he was the front left passenger of the 4WD.

## BRIEF OF EVIDENCE

I now wish to read this statement to the Court.

"I was the front left passenger of the four wheel drive.

We were travelling south on Bush Road.

My friend Ang was driving.

She turned left into my sister's driveway.

Just as we reached the driveway, as her front wheels were on the gravel, all I saw was a flash, a blur.

I saw the bike rider out of the blue on his side, sliding straight at us.

He was about ten metres away, then just boom, and he pushed our vehicle sideways.

He was moving and just a blue, a serious blur.

I ride bikes, he must have been doing 150 to 180 kilometres per hour.

I told Ang to get out, he is dead.

## BRIEF OF EVIDENCE

I did not want her to see that.

I dialled 111 and called the Ambulance and Fire Brigade.

My sister came out and checked him for a pulse.

I did not touch him."

**Prod. Stmt** I now wish to produce this statement to the Court. **(WITNESS TO PRODUCE STATEMENT)**

On the 19th March 2008, I attempted to take a formal statement from the Defendant NEAL.

I now wish to read this statement to the Court.

"My full name is Angela Susan NEAL.

I live at [REDACTED]

I was born on [REDACTED] and I am 41 years old.

My occupation is Homemaker.

## BRIEF OF EVIDENCE

Recorded at [REDACTED] on 19/03/2008 at 1105 hrs.

I am making this statement to Constable Brian CONNORS from the Thames Police about a motor vehicle accident on Bush Road on the 16/03/08.

I have been told that I have the right to refrain from making any statement and to remain silent.

That I also have the right to consult and instruct a lawyer without delay and in private before deciding whether to answer questions and this right may be exercised without charge under the Police Detention Legal Assistance Scheme.

Anything that I say will be recorded and may be given in evidence.

Q. Do you understand your rights?

A. Yes.

Q. Do you wish to speak to a lawyer?

A. Fuck knows. Yes. I spoke to the lawyer. He said I do not have to make a further statement.

**Prod. Stmt** I now wish to produce this statement to the Court. **(WITNESS TO PRODUCE STATEMENT)**

## BRIEF OF EVIDENCE

Police investigations in to the Crash which killed the motorcyclist Mr ARMSTRONG showed that the driver of the vehicle which the Defendants were travelling in were at fault for turning in front of the motor bike and the Defendant NEAL was Charged with Careless Driving Causing Death as she said she was the driver.

**Prod. Exh.** On the 25th October 2008, I served a summons on the Defendant TURNER to appear as a Witness in the case against NEAL, "Careless Causing Death" in the Thames District Court on the 10th November 2008. **(WITNESS TO PRODUCE SUMMONS AS EXHIBIT)**

On the 10th November 2008, the Defendant TURNER confronted me outside the Court House to confess that he was the driver of the 4WD.

A video interview was carried out with the Defendant TURNER.

**Prod. Exh.** I now wish to play this video the Court and produce it as an exhibit. **(WITNESS TO PLAY AND PRODUCE TAPE)**

A statement was taken from the Defendant NEAL by Sergeant Corbett.

## BRIEF OF EVIDENCE

*This statement is true to the best of my knowledge and belief. It has been made by me knowing that it may be admitted as evidence in criminal proceedings and that I may be prosecuted for making a statement known by me to be false and intended by me to mislead.*



---

Note Book Entries.

BC4075.

16/03/08.

~~XXXXXXXXXX~~

16-7-08

Day Shift 1200-2000

1145

Called in for 10-15.

10-7.

Take statements +

TCR

1220.

TUNER / David / [redacted]

Front left passenger of  
LWP.

We were Travelling  
South on Bush road  
My Grand Ager was  
driving. We turned



rest into my sister's  
driveway.

Just as we reached  
the driveway as her  
front wheels were on  
the gravel.

All I saw was  
a flash a blur then  
I saw a bike rider  
out of the blue on  
his side sliding  
straight at us. He  
was about 10 metres  
away then just boom  
and he pushed our  
vehicle sideways.

He was moving and  
just a blur a serious  
blur. I ride bikes  
he must have been

doing 150 to 180 kph.

I told Ange to  
get out he is  
dead. I did not  
want her to see  
that.

I dialled 111 and  
called the ambulance  
and fire brigade.

My sister came out  
and checked him for  
a pulse I did  
not touch him.

Serious Crash 10-2

Photography 10-2

WAI XS 10-2

1328 Truymas requested

Serious Crash. Hill 4

Jerry NEWELL.

	TURNA Fire wash down
	road
	Handki Towing 10-2 HW
1450	10-3.



New Zealand Police  
Statement

My full name is Angela Susan NEAL

I live at [REDACTED]

I was born on [REDACTED] and I am 44 years old.

My phone numbers are: Home \_\_\_\_\_ Work \_\_\_\_\_

Cell \_\_\_\_\_

My occupation is Homemaker

Recorded at [REDACTED]

On 17/03/2008 at 1105 hrs.

I am making this statement to Constable Brian CONNORS from the Thames

Police about a motor vehicle accident on

Bush Road on the 16/03/08.

I have been told that I have the right to refrain from making any statement and to remain silent.

That I also have the right to consult and instruct a lawyer without delay and in private before deciding whether to answer questions and this right may be exercised without charge under the Police Detention Legal Assistance Scheme.

Anything that I say will be recorded and may be given in evidence.

Q. Do you understand your rights?

A. YES.

Q. Do you wish to speak to a lawyer?

A. FUCK KNOWS YES

Angela Susan NEAL Further States:-

I spoke to the lawyer he said I do not have to make a further statement.

~~officer~~

Notebook Entries  
BC4075  
25/10/08

[REDACTED]

Q. Do you know where David TURNER lives?

A. No. Not at the moment.

Q. Do you have a current phone number for him?

A. No. The old one was thrown away. IT was the phone.

Q. What was the name of the young son in the car?

A. FRASER / MATT I do not think he is in TURNER.

Q. Did you check the motor cyclist?

A. I had a wizz then a boom. I jumped to the front door. I went out and to the rider. His face was covered by the visor. I wanted to check for a pulse at the wrist but that was not possible and I could not get it there so I went for the neck pulse.

There was no fire  
there. There was no  
usual reply to my  
voice commands.

Q. Who was driving the  
vehicle?

A. I do not know I  
did not look I have  
tunnel vision for the  
motorist.

Q. When did you notice  
Angela and David?

A. After I stood up from  
the roller they were  
standing with the Porsche  
Truck inside my section.

Q. Did they comment on who  
was driving?

A. No Angela was shaking, David  
was his normal unflustered,  
cool & calm as normal.

Q. Did you see anyone make the  
driver seat position?

A. No

Q. Do you have anything else  
relevant to the incident to  
tell me.

A. No I can't recall

I have read and analyzed  
this statement I have  
nothing more to add

Statement was taken and  
witnessed by ~~10/11/11~~  
10/11/11

10/11/11

10/11/11

1304	Ph	[REDACTED]
		[REDACTED]
		Sister.
	Q	How often did your brother use Cannabis
	A)	He used it for pain relief for degenerative bone disease in his spine. He did not use it very often as he had a high pain relief. He was particular about drink driving or having a seizure and driving. He was not reliant on it but had it occasionally.
	Q)	He had some speeding tickets what do you understand about his driving?
	A)	I believe he was a good person and sometimes he was a victim of circumstances. He was a careful driver.
	Q)	What was his motorcycle experience and that on that particular bike.
	A)	He got his bike license at the age of 15. He has had bikes all that time.

Note Book Entries.

BC4075

3/1/0/08.

and been riding them. I think he has had that bike for a couple of years.

Q) Who was he with prior to the crash?

A) I think he was talking to Steve LAWRENCE one of his mates.



Notebook Entries

BU4075

05/11/08

1045

Garry or Gerrard ARMSTRONG  
use to come and see  
me most days. On the  
day of the cash he  
came on his motor-bike.

I had known him for  
approximately 9 years.

He was an awesome  
motorbike rider he was  
very fussy and things  
had to be right not  
just with the bike but  
everything.

He came around for  
Coffie's and a general  
chit chat over a  
couple of hours. When he

last he said " I am  
going to get some milk  
and see you later."

I went to the Turn  
wharf with my son  
to go fishing. I heard  
the bike go around  
Pinto corner and head  
towards Bush Road. He  
tapped at someone by  
the corner just after  
leaving the shop.

We had <sup>not had</sup> anything  
to smoke at my place  
that day. Some days  
we did for recreation  
purposes and it would  
only be a joint if  
we had enough otherwise  
it would be a

couple of puffs from  
a cone that's a little  
pipe.

On my way to the  
wharf I did see his  
bike at the Turn shop.  
Jerry was not taking  
any other drugs that  
I am aware of, he  
was an awesome guy  
and I miss him.

I have read and  
understood this statement  
and I have nothing  
further to add.

Steph Boreide

1110. Statement taken by

M. M. M. P. K. 1079.





James Brian CORBETT to prove:

My full name is James Brian CORBETT.

I am a Police Sergeant in charge of the Strategic Traffic Unit based out of Thames, covering the Thames Coromandel and Hauraki areas.

**Id. Defs.**

At 10.30 a.m. on Monday, 10<sup>th</sup> November 2008, I spoke to the defendants Angela Susan NEAL and David Edward TURNER, at the Thames Police Station.

David Edward TURNER stated he was driving on the day of the fatal crash on Bush Road and he wanted to come clean about the matter.

I cautioned the defendants, gave them their Bill of Rights, and Constable CONNORS then spoke to David TURNER by video interview.

At 10.56 a.m., I commenced a statement, interviewing the defendant Angela Susan NEAL.

**Read Stmt**

I now wish to read that statement to the Court.

My full name is Angela Susan NEAL. I live at [REDACTED]  
My phone number is [REDACTED] I was born on [REDACTED] and I am 43 years old. My occupation is Beneficiary.

I am making a statement to Sgt CORBETT of the Thames Police about a motor vehicle crash and making a false statement to Police.

I have been told that I have the right to refrain from making any statement and to remain silent. I have also been advised that I have the right to consult and instruct a lawyer without delay and in private before deciding whether to answer questions and this right may be exercised without charge under the Police Detention Legal Assistance Scheme.

I have also been advised that anything I say will be recorded and may be given in evidence.

Q. Do you understand what I have just told you?

A. Yes.

Q. Do you wish to consult a lawyer?

A. No.

Q. Please tell me what you can remember about the crash.

A. We were heading towards my father-in-law's on Bush Road from Thames. David was driving, I was in the back seat. My son Fraser aged 16 years now, his birthday is on the 7<sup>th</sup> September 2008, was in the front seat. I was in the driver's side of the back seat. It would have been mid-morning. I was in the back seat and wasn't watching. The first thing I knew something was wrong when I heard the bang of the crash. I thought we might of hit the letter box. I didn't even hear the sound of the motorcycle.

Q. What happened after the crash?

A. I got out of the car and saw what we saw. The motorcyclist wasn't moving and there blood coming out of his helmet. David rang for an Ambulance and his sister checked for a pulse but there was none.

- Q. Why did you make a false statement saying you were driving?
- A. Because I knew David didn't have a New Zealand licence. I didn't think we were in the wrong.
- Q. Did David and you discuss that you would say you were driving?
- A. Yes. David said to me, can you say you were driving? Can you help me? I said OK. I don't think there was any malice, it wasn't done on purpose.
- Q. You told the Police you were driving on the day.
- A. Yes.
- Q. You also read and signed a statement on the day.
- A. Yes.
- Q. Why didn't you come forward and tell us the truth?
- A. I was on the piss the day the Police rang and I was advised by the lawyer to say nothing as I had made a statement on the day of the crash.
- Q. Have you got a drink problem?
- A. Probably yes.
- Q. When did you and David decide to come clean and tell the truth?
- A. The best of my knowledge this morning at Court.
- Q. Are you sure what you have told me is the truth?
- A. Yes, it is.

The statement was completed at 11.45 a.m.

The defendant NEAL endorsed, "I have read this statement and is true 2 the best of my knowledge" and signed it.

**Prod. Exh.**

I now wish to produce this statement to the Court. **(WITNESS TO PRODUCE STATEMENT)**

The defendants NEAL and TURNER were later jointly charged with conspiring to prosecute Angela Susan NEAL for the offence of Careless Driving Causing Death, knowing that the said Angela Susan NEAL was innocent of that offence.

*This statement is true to the best of my knowledge and belief. It has been made by me knowing that it may be admitted as evidence in criminal proceedings and that I may be prosecuted for making a statement known by me to be false and intended by me to mislead.*

*(Signed)* \_\_\_\_\_



Taken at Thames Police Station

Date 10.11.08

Time 1056 hrs

My full name is Angela Susan Neal

I live at

My ph. number is I was born on

and I am 43 years old. My occupation is

I am making a statement to <sup>Sgt</sup> Constable Corbett of the Thames Police about a motor vehicle crash and making a false statement to Police.

I have been told that I have the right to refrain from making any statement and to remain silent. I have also been advised that I have the right to consult and instruct a lawyer without delay and in private before deciding whether to answer questions and this right may be exercised without charge under the Police Detention Legal Assistance Scheme.

I have also been advised that anything I say will be recorded and may be given in evidence.

Q. Do you understand what I have just told you?

A. Yes / Yes

Q. Do you wish to consult a lawyer?

A. ~~Yes~~ / No

Signed:

Q Please Tell me what you can remember about the crash

A We were heading towards my.

I was in law on Bush Road  
from Thomas.

David was driving I was in  
the back seat. My son  
Grass aged 16 years rode his birthday  
is on the 7<sup>th</sup> September 2008.  
was in the front seat. I was  
in the driver side of the  
back seat.

It would of been Mid Morning.

I was in the back seat and  
wasnt ~~not~~ watching. The first  
thing I knew something was  
wrong when I heard the bang  
of the crash.

I thought we might of ~~not~~ hit  
the letter box.

I didnt even hear the sound of  
the Motor Cycle.

Q What happened after the crash.

A I got out of the car and  
saw what we saw. The  
Motor cyclist wasnt moving and there  
blood coming out of his helmet.  
David rang for an ambulance.  
and his sister checked for a  
pulse but there was none.

Q Why did you make a False  
statement saying you were driving

A Because I knew David didnt  
do

4 = a New Zealand Suerce  
I didn't think we were in the  
wrong.

Q Did David and you discuss that  
you would say you were  
driving.

A Yes David said to me can  
you say you were driving.  
Can you help me I said  
O.K. I don't think there was  
any Malice it wasn't done on  
purpose.

Q you told the Police you  
were driving on the day.

A Yes.

Q you also read and signed  
a statement on the day.

A Yes.

Q Why didn't you come forward  
and tell us the truth.

A I was on the Piss the  
day the Police rang and I  
was advised by the lawyer  
to say nothing as I had made  
a statement on the day of  
the crash.

Q Have you got a drink problem

A Probably yes.

A

Q 1. When did you and David decide to come clear and tell the truth.

A The best of my knowledge this morning at Court.

Q Are you sure what you have told me is the truth

A Yes it is.

I have read this statement and it is true to the best of my knowledge.



Statement taken  
witnessed by  
J. S. Colette  
Sgt Bail  
1145hrs.



## J O B S H E E T

Due \_\_\_\_\_

File \_\_\_\_\_

OFFENCE:

DATE and  
TIME

First plan your inquiry then set out the action taken, inquiries made, oral statements of persons seen and information gained, etc.

16/03/08

Introduction.

Working day shift alone Paeroa Sunday FIQ1.  
Covering Ngatea.

Whilst conducting enquiries at Mackaytown called to a car v motorcycle 1V at Turua.

2.00

On arrival at scene outside 108 Bush Road Turua.  
THT Constable Connors at scene.

Notice a 4 wheel drive vehicle with damage and motorcyclist and black motorbike on road.

SCU 10/2

Det Tinsley WIXS en route.

I spoke with [REDACTED]

I heard a skid from my lounge and then a bang. [REDACTED] my son-in-law was with me. Angela Neal and David Turner and young son were in the truck turning into my driveway to visit me.

The ambulance rolled the motorbike rider over. I didn't check his pulse, He was bleeding.

De Sgt TINSLEY arrives and takes over trying to identify rider and next of kin.

SCU arrives.

Twentymans funeral service eventually arrive.

I go to Thames to assist with body strip and secure personal property.

Complete file at Thames and take property to Thames.

Name: S M Huett  
Rank: Constable  
Date: 17/04/2006

QID SHH164

Checked by:  
Rank:  
Date: 17/04/2006

QID

## J O B S H E E T

Due \_\_\_\_\_  
File \_\_\_\_\_

OFFENCE:

DATE and  
TIME

First plan your inquiry then set out the action taken, inquiries made, oral statements of persons seen and information gained, etc.

Phone call with D/S Tinsley. Finding next of Kin difficult. Neighbour does not know him well. Believes relatives in Australia.

Drivers licence in wallet on body. Talk of an ex girlfriend who may know more.

Property taken to Paeroa and exhibited.

Next of kin- sister uplifts property from Paeroa Station.

[REDACTED]

her husband is

[REDACTED]

Name: S M Huett  
Rank: Constable  
Date: 17/04/2006

QID SHH164

Checked by:

Rank: QID  
Date: 17/04/2006



11 June 2008

Sergeant Jim Corbett  
O/C STU  
Thames

**Fatal Motor Vehicle Crash : 16 March 2008  
Bush Road, Pipiroa**

**Attached** please find a completed fatal crash file for a fatality which occurred on Sunday, 16 March 2008 at approximately 11.25 hours on Bush Road at Pipiroa.

The circumstances of this fatality are as follows:

1. This crash involved a Honda motorcycle (registration number [REDACTED]) driven by Gerard Brett Neil ARMSTRONG and a Nissan vehicle (registration number [REDACTED]) driven by Angela Susan NEAL.
2. The Nissan vehicle was travelling in a south westerly direction along Bush Road when it has made a right hand turn towards a driveway situated at 108 Bush Road. In doing so, the Nissan vehicle has crossed the path of the Honda motorcycle ridden by Mr Armstrong who was travelling in a north easterly direction along Bush Road.
3. This crash occurred on a straight section of roadway where Angela Neal should have had a good view of the motorcycle as it approached her vehicle.
4. There were no environmental factors which would have contributed to this fatality.
5. Both vehicles were examined by Vehicle Testing New Zealand and no mechanical faults were disclosed with either vehicle.
6. I believe the sole cause of this accident was that Ms Neal has either failed to see the motorcycle approaching or believed that she had time to cross the road into the driveway.
7. My recommendation is that Ms Neal should be prosecuted for:

Careless driving causing the death of Gerard Brett Neil Armstrong

This matter is now returned for your continuing action.

Safer Communities Together



The officer in charge of the file is Constable Brian Connors of the Thames Station.

A handwritten signature in black ink, appearing to read 'L J Tooman', written in a cursive style.

**L J Tooman**  
**Road Policing Manager**  
**Waikato**



New Zealand  
**POLICE**  
Nga Pirihimana O Aotearoa

# Crash Investigation Report

BUSH ROAD  
KOPUARAHI  
HAURAKI DISTRICT

16<sup>TH</sup> MARCH 2008

Constable Jeremy Newell  
Waikato District Serious Crash Unit

## PEER REVIEW

Reviewing Officer to complete.

I have reviewed this report, and am satisfied on reasonable grounds, that the scene examination, vehicle examination and evidence analysis are in accordance with the principals of best practice, and I support the conclusions based on the findings.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Rank*

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
*Date.*

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## 1. OBJECTIVES

- 1.1 The objective of this report is to determine any causative factors in this crash.
- 1.2 The determination of these factors is based on the following information.  
  
Crash scene examination by myself on the 16<sup>th</sup> March 2008  
Photographs taken at the scene of the crash.  
Photographs taken of the vehicles at salvage.  
Forensic Mapping and prepared scale plans.  
Statements obtained from witnesses to this crash and drivers involved.  
Reports prepared by specialists.
- 1.3 This report will not include any recommendation regarding criminal liability or possible charges.
- 1.4 This report was commissioned as per General Instruction T004 and Waikato Serious Crash Investigation Protocol.

## 2. QUALIFICATIONS

- 2.1 My full name is Jeremy Newell. I am a Constable with the New Zealand Police, attached to the Waikato District Serious Crash Unit.

In May 1999 I was attached to the Hamilton Traffic Safety Branch and carried out all duties associated with Traffic Safety Enforcement. This involved but was not limited to vehicle crash attendance and investigation and enforcement of traffic rules and regulations. During my appointment to this position I attended numerous vehicle crashes involving a variety of vehicles and ranging from non-injury to fatal.

In May 2001 I completed a Basic Crash Investigation Course conducted by the New Zealand Police.

In June 2001 I was appointed to the Waikato Serious Crash Unit.

In November 2001 I completed an Advanced Crash Investigation Course conducted in New Zealand by the Texas A & M University, Texas Engineering Extension Service.

In May 2002 I attended and completed the Police Forensic Mapping Course conducted by the New Zealand Police.

In June 2002 I completed a Motorcycle Collision Reconstruction Course conducted in New Zealand by Investigative Training Services of Washington.

My training while attached to the Waikato Serious Crash Unit has included the principles and operation of the Vericom - 2000PC and 3000 DAQ electronic accelerometer and vehicle performance computer.

In January 2003 I was appointed as a Scene of Crime Officer attached to Crime Services Waikato District. I completed a Scene of Crime Officers course conducted by the New Zealand Police. The course contents and syllabus was designed to provide the necessary skills to carry out extensive scene investigations and examinations at major crime scenes.

In February 2008 I was appointed to my current position with the Waikato Serious Crash Unit as a Crash Investigator/Analyst .

### 3. INTRODUCTION

- 3.1 At about 11.25 a.m. on Sunday the 16<sup>th</sup> March 2008, Gerard Brett Neil ARMSTRONG was the rider of a Honda CB1000F motorcycle, registered number [REDACTED], travelling in a north easterly direction on Bush Road in the locality of Kopuarahi in the Hauraki District.
- 3.2 At the same time Angela Susan NEAL was driving a Nissan Patrol 4x4 wagon, registered number [REDACTED] in a south westerly direction on Bush Road in the same area. She was accompanied by Mr David Edward TURNER who was seated in the front left passenger seat.
- 3.3 The vehicles have collided and come to rest in the driveway of a local address, 108 Bush Road. This address was located on the southern side of Bush Road, the driveway entrance opening onto the westbound lane. The crash scene was located approximately one kilometre east of the intersection with State Highway 25.
- 3.4 Mr ARMSTRONG has died as a result of his injuries.
- 3.5 Ms NEAL and her passenger received no injuries as a result of the crash.
- 3.6 Bush Road is a two lane rural road that is straight in the area where the crash occurred and runs northwest from the township of Horohia in the southeast to State Highway 25 in the northwest.

**Fig 1.** Location Map  
The blue circle indicates the approximate area of the crash.



- 3.7 The weather was fine on the day of the crash and the roadway was dry.

## 4. SCENE

- 4.1 The section of Bush Road where the crash occurred runs approximately southeast to northwest, for the purposes of this report is referred to as running east to west with State Highway 25 located to the west. The road is rural in nature providing access to local farms and residential properties.
- 4.2 The crash occurred on a straight section of road that has its nearest curve located approximately 190 metres east of the immediate crash scene. This curve is moderate and is a left curve for westbound traffic.
- 4.3 Bush Road is marked into two lanes, the lanes being formed by a broken white centreline. No marking is provided to delineate the lane outer boundaries. Reflecting marker posts are positioned along the road edges.

**Fig 2** View east of Bush Road, 108 Bush Road is at top right corner of view with driveway in boxed area.



- 4.4 The road is predominantly level in the area where the crash occurred.
- 4.5 The edge of seal at the lane edges runs to gravel and grass shoulders with post and wire fencing leading to paddocks. A drain is located running approximately parallel to the road on the southern side.
- 4.6 Bush Road in this area is subject to the open road speed limit of 100 km/h.
- 4.7 The surface is constructed of a medium chip course, which appeared to be in average condition. An inspection of the road surface revealed no contaminants, damage or debris on the approaches to the immediate scene that may have been contributing factors to this crash and the light dirt tracking visible was not sufficient to affect road traffic. Road signage and markings were clearly visible and in good condition.



## 5. SCENE EXAMINATION

- 5.1 The physical scene evidence observed will be described moving from the east to west and described in sequential order.
- 5.2 The first physical evidence located at the eastern end of the scene was a tyre friction mark near the lane centre of the westbound lane. This tyre friction mark was approximately 9.4 metres in length and arced in a clockwise direction. It was faint at its start and became more prominent as it progressed west. This mark is consistent with being left by a locked and sliding wheel.

**Fig 3** Tyre friction mark at eastern end of scene in centre of view. [Image digitally altered due to sensitive material]



- 5.3 Approximately 0.3 metres west of the eastern end of the tyre friction mark and 0.59 metres south of it a series of scrape marks were visible on the road surface. These scrape marks were fully contained within the westbound lane, and had a coverage area of approximately 6.7 metres by 1.3 metres.

**Fig 4.** Scrape marks located in westbound lane. [Image digitally altered due to sensitive material]



- 5.4 The body of a deceased male was located close to the westbound lane edge of seal in rough line across from the eastern edge of the driveway located at 108 Bush Road. The head of the male was orientated to the west and he was wearing dark coloured clothing and a black motorcycle helmet. He was later identified as Neil Brett Gerard ARMSTRONG.

- 5.5 Approximately 0.9 metres west of the head of the deceased male a black Honda CB1000F registered number [REDACTED] was located lying on its right side with its lower chassis hard up against the front left corner of a Nissan Patrol wagon registered number [REDACTED]

**Fig 5.** Motorcycle in situ against front left guard of Nissan Patrol wagon.  
[Image digitally altered due to sensitive material]



- 5.6 The Honda motorcycle had sustained moderate frontal damage and was orientated in an approximate north - south direction with the front wheel pointing.
- 5.7 The Nissan Patrol wagon was located facing in a south easterly direction with the front located on the driveway entrance to 108 Bush Road and the rear left wheel on the seal of the westbound lane. This vehicle had received minor damage to the right side and right front.
- 5.8 Starting in the west bound lane approximately 1.9 metres to the south of the road centreline a second tyre friction mark was located. This tyre friction mark started abruptly, was curved and the mark straightened as it progressed into the eastbound lane at its western end. The eastern end of the tyre friction mark was broad, with linear striations clearly visible and becoming lighter as it progressed west. This tyre friction mark is consistent with being a result of a vehicle acceleration mark exiting from the driveway and this combined with its physical location indicates it is un-related to this crash.

**Fig 6.** Acceleration mark highlighted by orange paint dots.  
[Image digitally cropped due to sensitive material]



- 5.9 Gouging was observed in the road surface of the westbound lane approximately 2.5 metres west of the start of the acceleration mark. It was located approximately 2.1 metres south of the road centreline and measured approximately 0.6 metres in length.

Fig 7. Gouging to westbound lane visible in centre of view and highlighted by orange paint.



- 5.10 I inspected the road and no debris, contamination or deterioration was observed that may have contributed to the crash.
- 5.11 Tests were completed using a Vericom 3000 DAQ accelerometer & vehicle performance computer; to ascertain the adhesion level of the road surface.

The tests conducted in a westerly direction on a "dry" road surface on the day of this crash showed the [average] co-efficient of friction of;

Westbound lane 0.67 G's [ABS off f.drag]

- 5.12 This is a good result and was above the minimum surface intervention level guidelines set by Transit NZ. This confirmed the visual inspection that the roadway surface was not deficient.

## 6 VEHICLE EXAMINATION

1993 HONDA CB1000F ( [REDACTED] )

- 6.1 This vehicle displayed a current Warrant of Fitness with an expiry date of 01-05-2008. The licence label exemption was in place from the 13-12-2007 to the 12-12-2008.

Fig 8.



- 6.2 The front of the fairing, instrument panel and headlight assembly of this motorcycle had extensive contact damage. The right handle bar had snapped off and the left handlebar damaged. The front forks were extensively damaged and the fuel tank exhibited contact type damage demonstrated as denting to both sides.

**Fig 9.** Right side view of Honda motorcycle at salvage



- 6.3 The right side of the motorcycle exhibited grazing and denting to the exhaust and grazing of the right side lower engine case cover.

**Fig 10.** Left side view of Honda motorcycle at salvage



- 6.4 The left side of the motorcycle had contact damage evident to the exhaust and the lower engine case cover.
- 6.5 Impact damage to the right side of the front wheel rim was evident in the form of chop marks in the edge of the rim wall.
- 6.6 The tyres fitted were correctly matched for size and type and had sufficient tread depth. Both the front and rear tyre pressure was measured at approximately 32 PSI.
- 6.7 The headlight assembly and switching was destroyed in the crash and inspection of the resultant debris proved inconclusive as to whether the motorcycle forward lighting was being operated at the time of the crash. The motorcycle was found to be in 5th gear when inspected.

1989 Nissan Patrol Wagon [REDACTED]

- 6.8 This was a manual transmission four wheel drive vehicle with a current Warrant of Fitness and Licence Label, having expiry dates of 17-06-08 and 17-12-08 respectively. It had an odometer reading of 325999 Kms.

**Fig 11.** Front view of Nissan Patrol wagon at salvage



- 6.9 Damage to this vehicle was of a minor nature and confined to the front left and forward half of the left side of the vehicle.

**Fig 12.** Left side view of Nissan Patrol wagon at salvage



- 6.10 The front bumper of this vehicle had contact damage evident to the front bumper assembly which had deformation to the left corner.

**Fig. 13** View of left front guard of Nissan Patrol wagon at salvage.



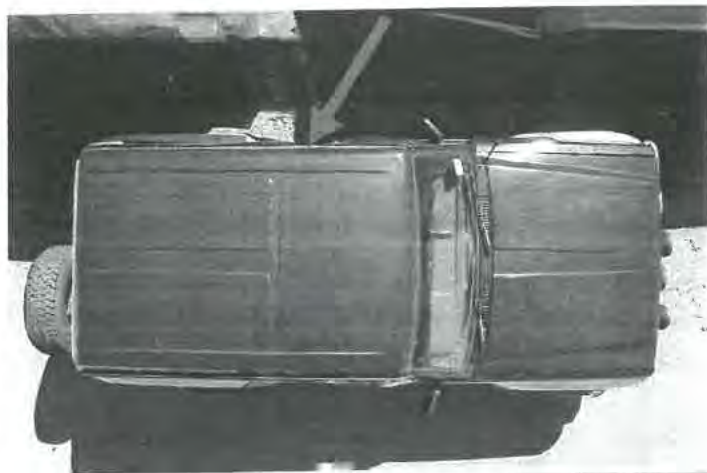
- 6.11 The left front guard trim had been pulled free and deformation was visible to the guard lower panel edge. The left front indicator lens had been displaced.

**Fig 14.** View of left side of Nissan Patrol at salvage looking from front to rear.



- 6.12 Further contact damage was noted to the front of the left rear guard and door about the sill intersection. Induced damage was evident as creasing to the rear left guard and door panel emanating from the contact damage area.

**Fig 15.** Overhead view of Nissan Patrol at salvage with approximate Principal Direction of Force [PDOF] for initial impact indicated by red arrow.



**Fig 16.** Close view of over-ride damage forward of rear left guard.



- 6.13 The left running board was twisted upward and damage to the left chassis rail suggests a partial over-ride occurred during engagement.

- 6.14 No interior damage or displacement was noted, the driver seat was not fully secured but this is most likely to have been a pre-existing condition and not related to the crash damage.
- 6.15 The seatbelts were all unclipped and retracted and an inspection showed no signs of stress or burring and was inconclusive as to if they had been worn at impact.
- 6.16 The driver controls, dashboard/instrument panel were unremarkable. The gear shift was located in neutral and the four wheel drive shift located in the 2H position.
- 6.17 The vehicle tyres were correctly matched in respect to size and type and had sufficient tread depth and pressure.

## 7. VEHICLE EXPERT EXAMINATION

- 7.1 Mr Paul Nicholas CAPLAN a vehicle inspector with Vehicle Testing New Zealand Limited completed a mechanical inspection of both vehicles involved in this crash on the 17<sup>th</sup> March 2008.
- 7.2 He found no faults that in his opinion, may have caused or contributed to this crash.

*(Refer appendix for VTNZ technical reports)*

## 8. PERSONS INVOLVED

- 8.1 Rider of Honda CB1000F motorcycle [REDACTED]

Gerard Brett Neil ARMSTRONG

[REDACTED]

### Licence Details

[REDACTED] class 1/F & 6/F Current Expires 21/09/2014

Mr ARMSTRONG was the holder of a full New Zealand motorcycle licence and driving in accordance with his licence conditions.

### Clothing

Mr ARMSTRONG was wearing a black jacket, dark blue jeans, brown boots and a black helmet.

### Toxicology

TOX081280/1

Blood (femoral)

No Alcohol was detected in the blood.

### Tetrahydrocannabinol (THC)

THC was detected in the blood. There was insufficient blood to determine an accurate level of THC. However, the approximate level was consistent with recent use of the drug and it is likely that Mr Armstrong was affected by the drug.

*(Refer appendices for full copy of Toxicology report)*

### Pathology

In the opinion of the pathologist Dr Frederick, George MAYALL death as:

due to:           1a:   Traumatic head injury  
                  1b:   A motor vehicle accident.

*(Refer main file for full copy of pathology report)*

### 8.2   Driver of Nissan Patrol [REDACTED]

Angela Susan NEAL  
[REDACTED]

#### Licence Details

[REDACTED]                      Expires 29/08/2011

Alcohol        Nil        Breath screening result

Ms NEAL is the holder of a full class 1 New Zealand Drivers Licence with the conditions of: Correcting lenses must be worn at all times when driving.

Ms NEAL declined the opportunity to provide a statement in relation to this crash.

### 8.3   Witness

David Edward TURNER  
[REDACTED]

Mr TURNER was seated in the front left passenger seat of the Nissan Patrol vehicle driven by Angela Susan NEAL.

No statement from Mr TURNER has been received.



## 9. EVIDENCE ANALYSIS

### Overview

- 9.1 This crash involved a Nissan Patrol wagon [REDACTED] that was being driven east by Angela Susan NEAL on Bush Road, a two lane rural road, in the locality of Kopuarahi. She was accompanied by a front left seat passenger David Edward TURNER. At the same time a Honda CB1000 F motorcycle ridden Gerard Brett Neil ARMSTRONG was travelling in a westerly direction on Bush Road in the same area. A collision has occurred on a straight section of road with the motorcycle ridden by ARMSTRONG impacting the left side of the Nissan Patrol driven by NEAL. The impact occurred by the driveway to 108 Bush Road and the vehicles have come to rest in the driveway area and partially straddling the westbound lane edge of seal. Mr ARMSTRONG has died as a result of the injuries he received in the crash.

### Road and Environment

- 9.2 The section of road where the crash occurred is straight and marked in two lanes with a standard broken white centreline.
- 9.3 The road was in an average condition with minor holing about the centreline and light dirt tracking visible on the surface. Friction testing of the road surface confirmed the visual inspection that the road was not deficient.
- 9.4 The road markings were in an average condition and clearly visible.
- 9.5 On the day of the crash the road surface was dry, the weather fine and the visibility was excellent.

### Physical Scene Evidence

- 9.6 The single tyre friction mark observed at the eastern end of the scene in the westbound lane curved in a tightening clockwise arc and became darker as it progresses west. This is consistent with it having been made in an east to west direction. It is attributable to the Honda motorcycle rear tyre being locked and skidding. The direction of the arc is consistent with the motorcycle falling on to its right side.
- 9.7 The scrape marks located proceeding west from about the end of the tyre friction mark toward the vehicles' rest positions are also attributable to the Honda motorcycle as it slid westward on its right side. This is consistent with grazing noted on the right side of the motorcycle.
- 9.8 The gouge located in the westbound lane is consistent with an impact gouge and it is probable that it was caused at impact. It is unlikely that a part of the Nissan Patrol was forced down into the sealed surface and it was therefore attributable to the Honda motorcycle. This is consistent with the vehicle impact damage and the evidence of the left sill and chassis rail of the Nissan

Patrol wagon riding up and over the Honda motorcycle during initial engagement.

- 9.9 The Honda motorcycle has rotated clockwise after impact and the vehicles have come to rest with the rear underside of the bike lodged under the front bumper assembly of the Nissan Patrol wagon.
- 9.10 It is most likely that the rear of Nissan Patrol vehicle has been rotated anti-clockwise by the impact.
- 9.11 No pre-impact evidence attributable to the Nissan Patrol was located and for this reason the path of travel for that vehicle or position on the road prior to impact can not be precisely determined.
- 9.12 The pre-impact marks left by the motorcycle in the form of tyre friction marks and scraping located in the westbound lane clearly show that it was in its correct lane of travel and close to the centre of that lane immediately prior to initial impact.
- 9.13 The Primary Direction of Force to the left side of the Nissan Patrol wagon forward of the rear guard shows that the left side of this vehicle was presented to the oncoming Honda motorcycle. It further indicates the Nissan Patrol wagon was orientated in an approximate north-south direction across the westbound lane at impact.
- 9.14 Given the location of the impact area on the roadway relative to the driveway of 108 Bush Road suggests that the driver of the Nissan Patrol wagon, NEAL, was in the process of turning into this driveway.
- 9.15 The nature of the scene evidence does not allow an accurate equivalent speed loss or momentum type analysis to be completed in respect to either vehicle. However the physical evidence is contained in a relatively small area and this combined with the vehicle damage does not indicate an excessive impact speed.

## SUMMARY

As a result of my investigation into this crash, based on the evidence available to me, I make the following conclusions.

- 10.1 At about 11.25 a.m. on Sunday the 16<sup>th</sup> March 2008, Gerard Brett Neil ARMSTRONG was the rider of a Honda CBR1000F motorcycle, registered number [REDACTED] travelling in an north easterly direction on Bush Road in the locality of Kopuarahi in the Hauraki District.
- 10.2 At the same time Angela Susan NEAL was driving a Nissan Patrol 4x4 wagon, registered number [REDACTED] in a south westerly direction on Bush Road in the same area accompanied by Mr David Edward TURNER who was seated in the front left passenger seat.

- 10.3 The Nissan Patrol vehicle driven by NEAL has made a right turn toward the driveway of 108 Bush Road and in doing so has crossed the westbound lane into the path of the Honda CBR1000F ridden by ARMSTRONG.
- 10.4 Mr ARMSTRONG has taken evasive action in the form of braking but the motorcycle has fallen on to its right side and he has not been able to avoid the impact.
- 10.5 The Honda motorcycle has impacted with the left side of the Nissan Patrol wagon and they have come to rest in the driveway of 108 Bush Road.
- 10.6 Mr ARMSTRONG has died as a result of the injuries he received as a result of the crash.
- 10.7 Mrs NEAL and her passengers received no injuries as a result of the crash.

#### Causation.

- 10.8 The analysis of any crash focuses on three principal areas, these being the environment (which includes the road, weather and surroundings), the vehicles and the people involved.
- 10.9 Each of these areas must be considered for factors which could have caused or contributed to the crash.

#### Environment.

- 10.10 The crash occurred on a straight section of two lane road in a rural environment. The closest curve located was approximately 190 metres to the east of the approximate impact area.
- 10.11 An inspection of the roadway revealed it was in an average condition and no issues were found that could have been contributing factors to this crash.
- 10.12 The road was dry the weather was fine and the visibility excellent.

#### Vehicles.

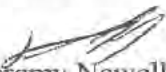
- 10.13 No mechanical faults were disclosed with either vehicle that may have contributed to the crash.

#### People.

- 10.14 Gerard Brett Neil ARMSTRONG was riding a Honda CBR1000F motorcycle. He was the holder of a full and correct licence for the type of vehicle he was operating.
- 10.15 Toxicology indicated that Mr ARMSTRONG had a level of THC, the main active ingredient of cannabis present in his blood. This level was not accurately determined and was consistent with recent use of the drug and it is likely that Mr ARMSTRONG was affected by the drug.

- 10.16 Angela Susan NEAL was driving a Nissan Patrol wagon. She is the holder of a full and correct licence for the type of vehicle she was driving.
- 10.17 Mr ARMSTRONG was wearing dark clothing and was riding a dark coloured motorcycle. It could not be established if the headlight was operating at the time of the crash but the fact remains that giving the environmental conditions on the day and the nature of the road he was there to be seen.
- 10.18 Without a statement from Ms NEAL it is impossible to tell what she perceived immediately prior to the impact. She has however crossed the centreline of the road into the opposing lane and path of the oncoming motorcycle.

*I have rendered these opinions and conclusions after careful evaluation and analysis of the evidence provided, based upon my training and experience. These opinions and conclusions are subject to re-evaluation pending further evidence, information or investigations that may be forthcoming.*

  
Jeremy Newell.  
Constable H114.  
Waikato District Serious Crash Unit.  
6 June 2008

## APPENDICES

APPENDIX A	SCALE PLAN
APPENDIX B	VEHICLE INSPECTION REPORTS (VTNZ)
APPENDIX C	TOXICOLOGY REPORT

## APPENDIX A

i

ii

# Light Vehicle Crash Investigation Report

<b>Inspection details</b>	<b>Service Slip Number:</b>
---------------------------	-----------------------------

Name of VTNZ Vehicle Inspector:	Paul Nicholas Caplan
VTNZ station base:	40 Lincoln Street, Hamilton
Inspection requested by:	Constable: G. Fitzpatrick
Date of inspection:	17/03/2008
Place of inspection:	VTNZ, 40 Lincoln Street, Hamilton.

## Vehicle details



fig.1

Registration No:	[Redacted]	Year:	1989
Make:	Nissan	Colour:	Blue / Silver
Model:	Patrol	Speedometer reading:	325999 km
VIN No:	KY60105498	Motive Power:	Petrol
Engine Capacity:	4200 cc's	Airbags Fitted?	No
		Airbags Deployed?	N/a
Type:	Station Wagon Four wheel drive Right hand drive		

The vehicle was mobile, so road tests were possible.

**Warrant of Fitness details**

WOF No: UD396631	Expiry date: 17/06/2008
Issued by: K A Motors	Other comments:

**Damage sustained**

Moderate dents to the left hand front mudguard, door and rear guard



**Report**

As per the attached Crash Investigation Request form, I have carried out my investigation on the aforementioned vehicle.

**Suspension:**

There is coil spring over live axle suspension fitted to the front and coil spring over trailing arm and live axle on the rear of the vehicle, there is no crash damage. All components are dry connected and visually in good order. Rear suspension components are undamaged, connected and in good condition.

**Steering:**

Steering consisted of a hydraulically power assisted steering rack, All the steering components are visually in good condition. The steering operation was checked, steering operated freely from lock to lock, and on road test demonstrated no irregularities.



**Brakes:**

There are disc brakes fitted on the front and rear, operated by a vacuum assisted, dual circuit master cylinder.

The front disc brakes visually have an even average of 3mm of friction material remaining on all pads, the rotors are polished, associated components are dry, dusty in good condition.

The rear disc brakes visually have an even average of 3mm of friction material remaining on all pads, the rotors are polished, associated components are dry, dusty in good condition.

The master cylinder reservoir is 3/4 full with slight leakage onto the brake booster, brake pedal travel was 50mm with a firm pedal.

Handbrake travel is 130mm or 10 clicks.

Brake performance tests were carried out on an Autoteknik BM12200 roller brake machine, Serial No. SR004673

Brake performance results are based on a percentage of the gross weight of each axle tested. Overall performance is the sum of both axles.

Vehicle weight was obtained from Waste Management Ltd. certified weighbridge Frankton. With a weight of 2030kg at the time of inspection.

The results are as follows:

Service brake:

1 <sup>st</sup> axle	Result Left	350kn	Right	330kn
2 <sup>nd</sup> axle	Result Left	250kn	Right	270kn

This equates to a service brake performance of 59.11%

Park brake:

2 <sup>nd</sup> axle	Result Left	260kn	Right	300kn
----------------------	-------------	-------	-------	-------

This equates to a parkbrake performance of 27.58%

A road test was also carried out up to 60kph, The vehicle demonstrated no braking or handling irregularities.

**Tyres:**

All tyres are 10R x 15LT, condition as follows.

Left front	Bridgestone, 7mm of tread remaining, tyre is inflated to 31psi.
Right front	Bridgestone, 6mm of tread remaining, tyre is inflated to 30psi
Left rear	Bravo, 9mm of tread remaining, tyre is inflated to 29psi.
Right rear	Dunlop, 3mm of tread remaining, tyre is inflated to 38psi.

Tyres are correctly size and type matched with adequate tread depth and pressure

**Electrical:**

All electrical systems operated normally, right hand headlight alignment is set to high, left hand headlight alignment is set lower than recommended.

**Summary of faults found**

As per the attached Crash Investigation Request form, I have carried out my investigation on the aforementioned vehicle.

- No faults found.

**Report Summary**

As far as I could inspect the vehicle, I found no defects that in my opinion could have been a contributing factor in the cause of the crash.

Signature:

Name:

Designation:



P.N. Caplan

Vehicle Inspector

**COPY OF WORKSHEET AVAILABLE ON REQUEST**

# Light Vehicle Crash Investigation Report

<b>Inspection details</b>	<b>Service Slip Number:</b>
---------------------------	-----------------------------

Name of VTNZ Vehicle Inspector:	Paul Nicholas Caplan.
VTNZ station base:	40 Lincoln Street, Hamilton
Inspection requested by:	Constable: D.Tidmarsh
Date of inspection:	25/02/2008
Place of inspection:	Williams Salvage, 121 Colombo Street, Hamilton.

<b>Vehicle details</b>
------------------------



Fig.1

Registration No: [REDACTED]	Year: 1993	
Make: Honda	Colour: Silver	
Model: CBR1000F	Speedometer reading: 46889 km.	
VIN No: JH2SC24UXPM400148	Motive Power: Petrol	
Engine Capacity: 998 cc's	Airbags Fitted? N/A	Airbags Deployed? N/A
Type: Motorcycle		

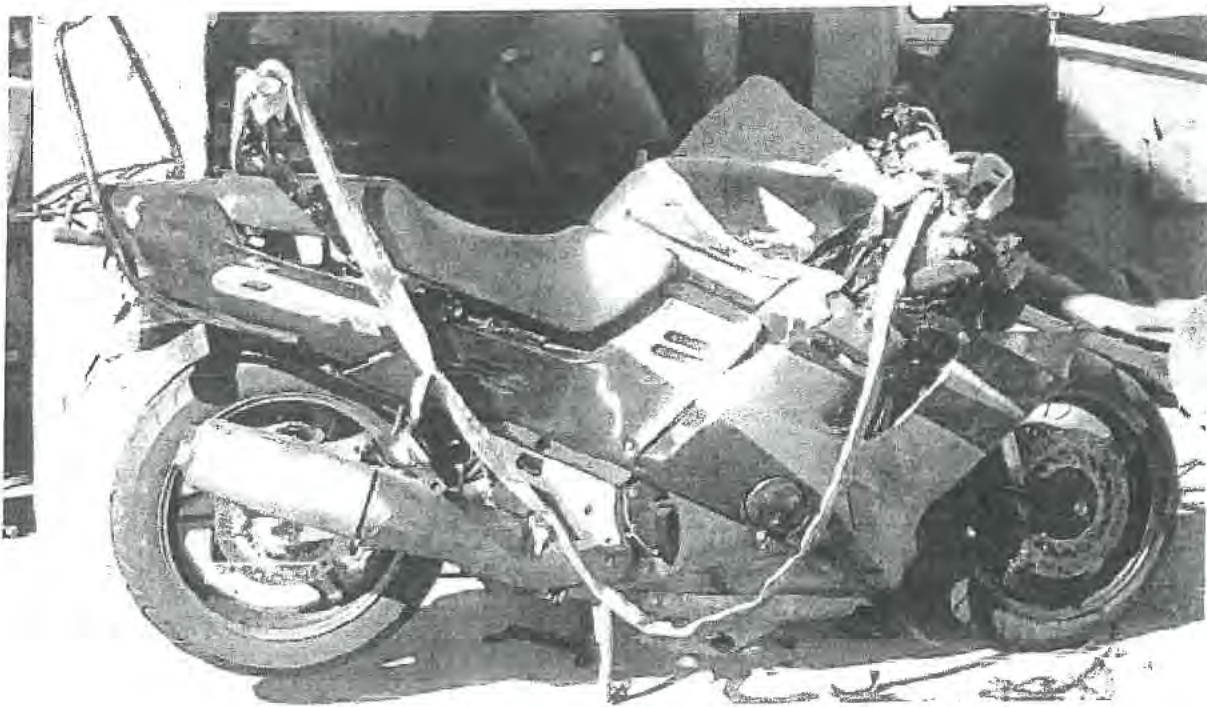
The vehicle was not mobile, so no road test was possible.

**Warrant of Fitness details**

WOF No: CU439634	Expiry date: 01-05-2008
Issued by: Thames Mitsubishi	Other comments:

**Damage sustained**

Severe crash damage to both front forks, steering head, fairing, fuel tank, right hand exhaust, front brake controls and master cylinder torn off in the crash.

**Report**

As per the attached Crash Investigation Request form, I have carried out my investigation on the aforementioned motorcycle.

**Steering and suspension:**

The front suspension was of a internal coil, twin fork, oil damper type, fixed into a single pivot shaft which mounts in the steering hub assembly. The upper steering pivot is intact. The right hand side of the handlebar is torn off, left hand side is damaged but still attached. All steering gear and suspension visually appears to have been intact and in a satisfactory condition prior to the crash, steering was jammed and unable to be tested.

The rear suspension is single coil over shock with trailing arms, suspension is connected and in serviceable condition.

**Brakes:**

Front brakes consisted of a single circuit hydraulic operated hand control fitted to right side handle bar. The twin vented rotors are actuated by two 2 piston calipers. Friction material was evenly worn with an average of 3.5mm remaining. The hand control lever and master cylinder were torn off in the crash.

Rear brakes consisted of a hydraulic foot control fitted to the right side of the cycle, all components are visually intact and operate when tested.

The single rotor operated by a twin piston caliper was in a good serviceable condition with 1.6mm even average of friction material remaining. Pedal travel was 26mm with a firm pedal.

All brake components were dry and dusty with no visible pre crash leaks detected.

Operational test were carried out on the rear brake and when the brake was applied the rear wheel could not be turned.

No test could be carried out on the front brakes due to the extent of the damage, but visual inspection indicated that there were no pre-crash faults.

**Tyres:**

Both tyres fitted were Pirelli radials.

The front tyre is 120/70 x ZR17. with a tread depth of 3 to 4mm, tyre is inflated to 28psi.

The rear tyre is 160/70 x ZR17. with a tread depth of 2 to 4mm, and inflated to 30psi

The Alloy wheels are original equipment, the tyres are size and type matched for the wheels.

There is sufficient tread depth and pressure on the tyres.

**Electrical:**

The front lights are destroyed, rear lights are fitted and visually in good order, no operational tests were possible due to the extent of the crash damage.

**Summary of faults found**

As per the attached Crash Investigation Request form, I have carried out my investigation on the aforementioned vehicle.

- No faults found

**Report Summary**

I have inspected the Motor Cycle, I found no mechanical defects that in my opinion could have been a contributing factor in the cause of the crash.

Signature:



Name:

P.N. Caplan

Designation:

Vehicle Inspector

**COPY OF WORKSHEET AVAILABLE ON REQUEST**

# TRAFFIC CRASH REPORT

**1** Local Body: HIPC

Locality or suburb: PIPAWA KOPURUAHI

Crash road: BUSH ROAD

Side road: 37 13 031 175 30 000 PIPAWA RD.

GPS: 4P 00 000 175 30 000

A	Intsn with	OR	Metres	Km	N	E	S	W
---	------------	----	--------	----	---	---	---	---

Fatal crash:

Serious injury crash:

Minor injury crash:

Non-injury crash:

**2** Crash date: 16:05:08 Crash time: 11:25  
24 HOUR CLOCK

Sun 1	Mon 2	Tue 3	Wed 4	Thu 5	Fri 6	Sat 7
----------	----------	----------	----------	----------	----------	----------

Officer arrival time: 11:46 Did't attend:

SECTOR CODE: TV

Reporting Member Initials/Reg No. 967072

Where Stationed: TV

**3** CHECKED BY: Rank/Name (Supervisor) \_\_\_\_\_

Del./Sen./Sgt./Const. \_\_\_\_\_ Initials \_\_\_\_\_ Reg. No. \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

(Minuting Member)

**4** VEHICLE 1 Reg No. \_\_\_\_\_ T.S.L. No. \_\_\_\_\_

Owns veh.  Not owned  Rental  Unknown

Car/wagon	SUV/4x4	Taxi	Van/ute	Truck	Bus
-----------	---------	------	---------	-------	-----

School bus  Motor cycle  MoP ed  Other

Towing: Boat  Caravan  Trailer  Semi-trailer  A train  B/Rain  Other

Make & Model: 93 HONDA

Year: 93 CC rating: 1000

WOF or COF:  Yes  No Expiry date 01:05:08

Speed before crash: \_\_\_\_\_ km/h  Parked  Reversing  Stationary

Too fast for conditions:  Yes  No  Uncertain

Total passengers: Front: \_\_\_\_\_ Rear: \_\_\_\_\_ Other: \_\_\_\_\_

**5** DRIVER 1 FORE NAMES \_\_\_\_\_ SURNAME \_\_\_\_\_

Name: David John Armstrong

Address: \_\_\_\_\_

Phone No: \_\_\_\_\_

DOB: \_\_\_\_\_ Male  Female

Ethnicity: European  NZ Maori  Samoan  Fijian  Tongan  Cook Islander  Niuean  To Kelaian  Other Pacific Island  Asian  Other

Occupation: \_\_\_\_\_

Licence No: \_\_\_\_\_

Licence status: Learner  Restricted  Full  Never lic'd  For Bidden

Wrong class  Disqualified  Overseas  UnKnown  Expired

If driver holds Overseas licence: \_\_\_\_\_

Overseas Driver Country of Origin: \_\_\_\_\_

Overseas Driver Status: Student  Immigrant  Visitor  UnKnown

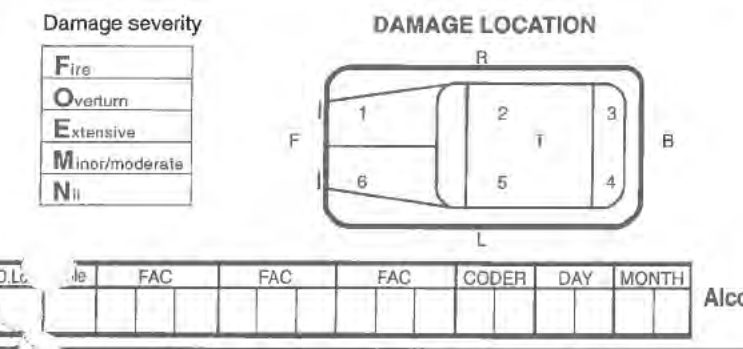
Restraint worn: Uncertain  Yes  No  Not Avail.

Injuries: (in detail) \_\_\_\_\_

Fatal  Serious  Minor  Nil

Hospitalised at: \_\_\_\_\_

Alcohol	Unknown	Not suspected	Suspected	Screen	Evidential	Blood
				+ -	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>



**6** DRIVER INTERVIEW NOTES:

.....

.....

.....

\* NOIS advises ARMSTRONG had been riding bikes all his life.

Driver 1 signature \_\_\_\_\_

**7** ION/TON Nos: \_\_\_\_\_ OFFENCE/PREC CODE: \_\_\_\_\_ DRIVER: \_\_\_\_\_

ION/TON Nos: \_\_\_\_\_ OFFENCE/PREC CODE: \_\_\_\_\_ DRIVER: \_\_\_\_\_

CARD EVENT No. <u>0803173086</u>	DOCLOC CASE No. _____
OCCURRENCE ID <u>P000886599</u>	_____

FILE COPY

**8 VEHICLE 2** Reg No. [Redacted] T.S.L. No. [Redacted]

Owns veh  Not owned  Rental  Unknown

Car/vr  SUV/4x4  Taxi  Van/ute  Truck  Bus

School bus  Motor cycle  MoPed  Other

Towing: Boat  Caravan  Trailer  Semi-trailer  A train  B/Rain  Other

Make & Model: NISSAN

Year: 1999 CC rating: \_\_\_\_\_

WOF or COF:  Yes  No Expiry date 17 06 08

Speed before crash: 10 km/h  Parked  Reversing  Stationary

Too fast for conditions: Yes   No  Uncertain

Total passengers: Front: 1 Rear: \_\_\_\_\_ Other: \_\_\_\_\_  
(Not Drivers)

**9 DRIVER 2** FORE NAMES SURNAME  
Name: Amelia Susan NEA

[Redacted]

DOB: [Redacted] Male  Female

Ethnicity:  European  NZ Maori  Samoan  Fijian  Tongan  Cook Islander  Niuean   
ToKelauan  Other Pacific Island  Asian  Other  (Specify)

Occupation: Home maker

Licence No: [Redacted]

Licence status:  Learner  Restricted   Full  Never lic'd  ForBidden

Wrong class  Disqualified  Overseas  UnKnown  Expired

If driver holds Overseas licence ← \_\_\_\_\_

Overseas Driver Country of Origin: \_\_\_\_\_

Overseas Driver Status:  Student  imMigrant  Visitor  unKnown

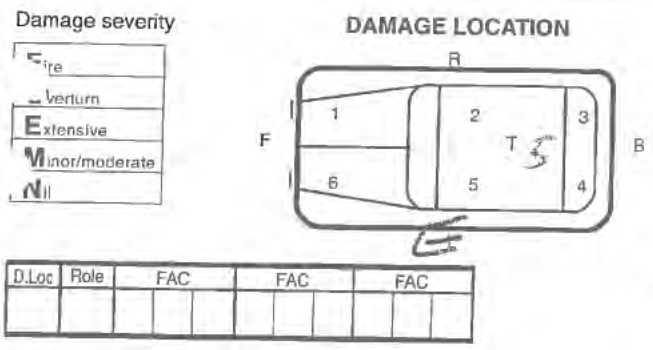
Restraint worn:  Uncertain  Yes  No  Not Avail.

Injuries: (in detail) N/A

Fatal  Serious  Minor   Nil

Hospitalised at: \_\_\_\_\_

Alcohol:  Unknown  Not suspected  Suspected  Screen +  -  Evidential  Blood



**10 DRIVER INTERVIEW NOTES:**

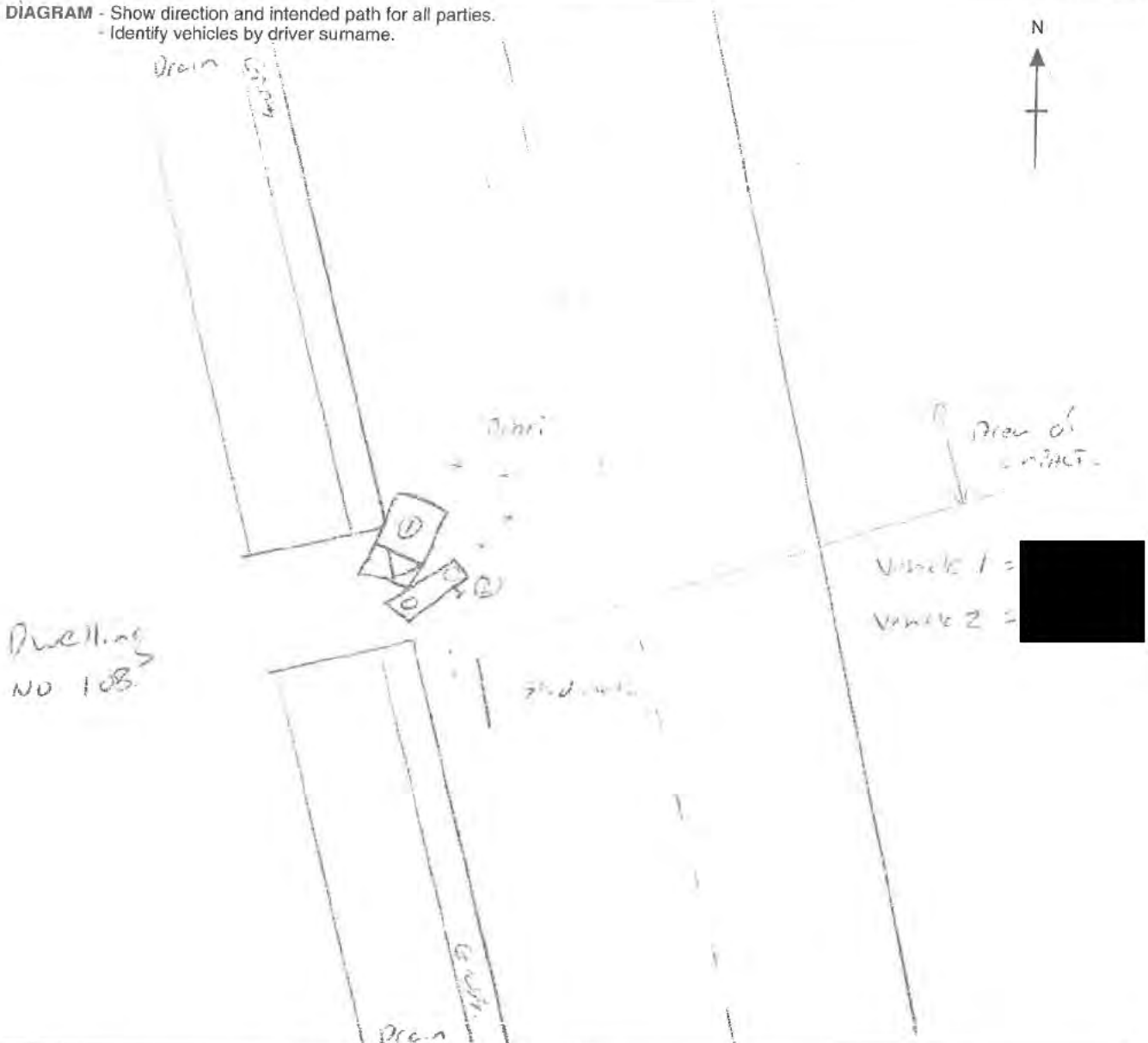
I was travelling south on Bush road and indicating to turn into the driveway of no 88. I proceeded to come into the drive way then the next minute I thought I hit the letterbox the noise sounded as though I hit Tim. I stopped and said what the hell was that I could not see anything then I was told to get out by BEAR also David & I saw then his car came out of the house. I just went inside.

*[Handwritten signature]*

Driver 2 signature

**11** If there is no further Police action, please state reason(s):

12 CRASH DIAGRAM - Show direction and intended path for all parties. Identify vehicles by driver surname.



13 WHAT HAPPENED Vehicle 1 [redacted] has turned into the path of vehicle 2 [redacted] resulting in serious impact for the motor cyclist.

14 OBJECTS HIT: Bike vs car.

OBJ	MVMT	1	D	S	2	3	4	FAC	FAC	FAC

FILE COPY



**15 WHY CRASH HAPPENED**

Drivers: ADVERSE HAS MEASURABLE THC (CANNABIS) LEVEL, NOT A REGISTERABLE QUANTITY.

Road factors: Nil.

Vehicle factors: Nil

Other factors: Nissan has turned right across path of motorcycle.

**16 DETAILS**

Speed limit	<u>100</u>	Advisory speed		Temp speed limit		ROAD	1-way	<u>2-way</u>	Off rd.	TOTAL LANES	0	<u>1</u>	<u>2</u>	3	4	5	6
CURVATURE	<u>Straight</u>	Easy	Moderate	Severe	MARKINGS	Ped. Xing	<u>Raised isd</u>	Paint isd	No Pass Line	<u>Centre Line</u>	Nil						
SURFACE	<u>Sealed</u>	Unsealed			TYPE	<u>Bridge</u>	Mway Ramp	<u>Rly Xing</u>	Flat rd.		Hill rd.						
SURFACE	<u>Wet</u>	<u>Dry</u>	Ice or snow		JUNCTION	<u>Driveway</u>	Roundabout	X	T	Y	Multileg						
LIGHT	<u>Bright sun</u>	Overcast	Twilight	Dark	CONTROL	Traf. signals	Stop	Give way	Sch Patrol/warden	<u>Nil</u>							
STREET LIGHTS	On	<u>Off</u>	None		WEATHER	<u>Fine</u>	Mist/fog	Lt rain	Hvy rain	Snow	Frost	Str. wind					

**17 OTHER PERSONS INVOLVED EXCLUDING DRIVERS**

Forenames	Surname	Cyclist, Pedestrian, Passenger with.....	Age	Sex	Ethnicity	Injury	LTNZ Use	
							Causation	Office Use
1. Name:								
Address:						Fatal		
Injuries:				<u>M</u>		Serious		
2. Name:				<u>F</u>		Minor		
Address:						Nil		
Injuries:								
3. Name:						Fatal		
Address:						Serious		
Injuries:				<u>M</u>		Minor		
4. Name:				<u>F</u>		Nil		
Address:						Fatal		
Injuries:						Serious		
5. Name:				<u>M</u>		Minor		
Address:						Nil		
Injuries:						Fatal		
6. Name:				<u>M</u>		Serious		
Address:						Minor		
Injuries:						Nil		

European	NZ Maori	Samoan	Fijian	Tongan	Cook Islander	<u>R</u>	Niuean
To Kelauan	Other Pacific Island		Asian	Other _____			

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(Specify)

**18** INDEPENDENT WITNESSES OR OTHER NOTES

Name: [Redacted] Surname: [Redacted]  
 Residential Address: [Redacted] Phone: [Redacted]  
 Business Address: [Redacted] Phone: [Redacted]

Note: [Redacted] FIA HUST  
 Signature: \_\_\_\_\_

Name: Forenames Surname  
 Residential Address: Phone:  
 Business Address: Phone:  
 Signature: \_\_\_\_\_

Name: Forenames Surname  
 Residential Address: Phone:  
 Business Address: Phone:  
 Signature: \_\_\_\_\_

**19** Next of kin notified (when, where, by whom)  
 17/03/08 Constable HUST OIC 19 FM  
 [Redacted] (SISTER)

**20** SPECIAL PROJECTS: Office Use

1. Project Name

2. Project Name:

# HAMILTON DISTRICT PHOTOGRAPHY SECTION PHOTO JOB ADVICE AND COURT BOOKLET ORDER FORM

DATE: 20/03/08

Oc_QID: JNH114	Oc_Ext:
Oc_Rank: CONST	
Oc_Name: NEWELL/J	
Oc_Section: CRASH ANALYST	
Oc_Station: HAMILTON	

File_No:
Job_No: 08/00538
Job Type: Photography
Off Code: 9T14
Op Name:
Master/Related No:

Photographer: PEARSON Film Type: \_\_\_\_\_

Officer Present: NEWELL DOB/62 ✓

Scene Station: NT Date: 16/03/08 Qty: \_\_\_\_\_

Scene District: \_\_\_\_\_ Time: 1300

Victim Name: ARMSTRONG/Gerard/Brett/Neil

Offender Name: NEAL/Angela/Susan

Text: \_\_\_\_\_

Scene of Fatal accident Rego. [REDACTED] Motorcycle Honda CBR1000 Vs Nissan Safari

Location
Bush Rd Pipiroa

### ORDERING FOR A COURT CASE

Should you require photographs for court, complete the information below.

1. Select the photographs and place a number beside them in the order you wish them to appear in the court book.
2. Provide a brief caption for each of the photographs chosen.
3. Return the book and caption sheet to the Hamilton Photography Section.

**DONT LEAVE ORDERING PHOTOGRAPHS UNTIL THE LAST MINUTE.**  
Allow at least 14 days notice for the preparation of the court books.

OC CASE \_\_\_\_\_ STATION \_\_\_\_\_ SECTION \_\_\_\_\_ EXTENSION \_\_\_\_\_

Hearing Date \_\_\_\_/\_\_\_\_/\_\_\_\_ Place \_\_\_\_\_ District / High Court (Delete One)

TYPE OF CASE: Not Guilty    Depositions    Trial    Other \_\_\_\_\_ (Circle)

Offences \_\_\_\_\_

Full Names of Defendant (s) - AS CHARGED

POLICE / QUEEN V 1 \_\_\_\_\_ 5 \_\_\_\_\_  
(Delete One)

2 \_\_\_\_\_ 6 \_\_\_\_\_

3 \_\_\_\_\_ 7 \_\_\_\_\_

4 \_\_\_\_\_ 8 \_\_\_\_\_

Jointly-Charged    Separate Hearings    (Circle)

### BRIEFS OF EVIDENCE

The Police Officer who caused the photographs to be taken can give this in evidence and produce the photos. Also victim's can produce their own photos. If the above circumstances do not apply you can request a brief of evidence. Liaise with counsel early to ensure the photographers evidence is accepted as hand up.



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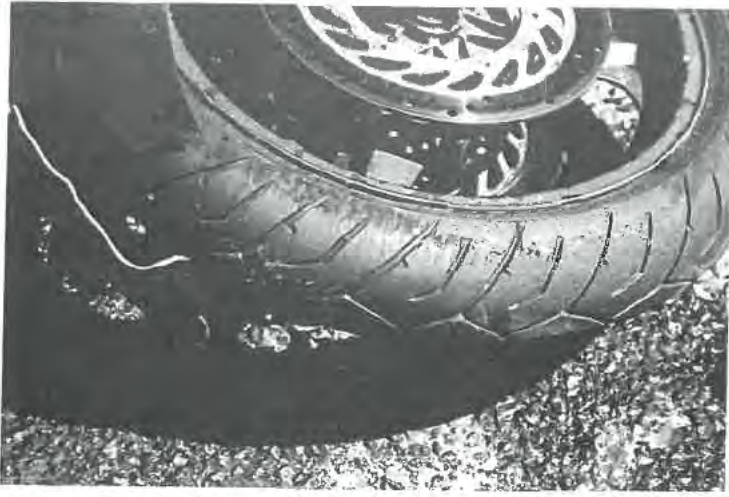
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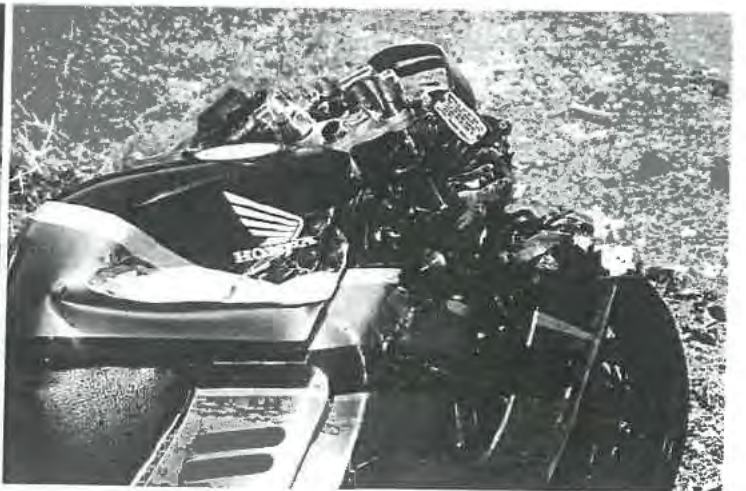


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# HAMILTON DISTRICT PHOTOGRAPHY SECTION PHOTO JOB ADVICE AND COURT BOOKLET ORDER FORM

DATE: 25/03/08

Oc_QID:	JNH114	Oc_Ext:
Oc_Rank:	CONST	
Oc_Name:	NEWELL/J	
Oc_Section:	CRASH ANALYST	
Oc_Station:	HAMILTON	

File_No:
Job_No: 08/00560
Job Type: Photography
Off Code: 9T14
Op Name:
Master/Related No: 08/00538

Photographer: FOOKES Film Type: \_\_\_\_\_

Officer Present: \_\_\_\_\_ DOB/70 ✓

Scene Station: \_\_\_\_\_ Date: 22/03/08 Qty: 32

Scene District: \_\_\_\_\_ Time: 1210

Victim Name: \_\_\_\_\_

Offender Name: \_\_\_\_\_

Text: \_\_\_\_\_

Profiles Honda M/Cycle [REDACTED] & Nissan Safari

Location
Williams Salvage

### ORDERING FOR A COURT CASE

Should you require photographs for court, complete the information below.

1. Select the photographs and place a number beside them in the order you wish them to appear in the court book.
2. Provide a brief caption for each of the photographs chosen.
3. Return the book and caption sheet to the Hamilton Photography Section.

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Allow at leased 14 days notice for the preparation of the court books.

OC CASE \_\_\_\_\_ STATION \_\_\_\_\_ SECTION \_\_\_\_\_ EXTENSION \_\_\_\_\_

Hearing Date \_\_\_\_/\_\_\_\_/\_\_\_\_ Place \_\_\_\_\_ District / High Court (Delete One)

TYPE OF CASE: Not Guilty    Depositions    Trial    Other \_\_\_\_\_ (Circle)

Offences \_\_\_\_\_

Full Names of Defendant (s) - AS CHARGED

POLICE / QUEEN V (Delete One)	1 _____	5 _____
	2 _____	6 _____
	3 _____	7 _____
	4 _____	8 _____

Jointly-Charged      Separate Hearings    (Circle)

### BRIEFS OF EVIDENCE

The Police Officer who caused the photographs to be taken can give this in evidence and produce the photos. Also victim's can produce their own photos. If the above circumstances do not apply you can request a brief of evidence. Liaise with counsel early to ensure the photographers evidence is accepted as hand up.



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**Ref: 8/560**  
**Disc: 8/70**

40840032.TIF



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**Ref: 8/560**  
**Disc: 8/70**



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# Light Vehicle Crash Investigation Report

<b>Inspection details</b>	<b>Service Slip Number:</b>
---------------------------	-----------------------------

Name of VTNZ Vehicle Inspector:	Paul Nicholas Caplan
VTNZ station base:	40 Lincoln Street, Hamilton
Inspection requested by:	Constable: G. Fitzpatrick
Date of inspection:	17/03/2008
Place of inspection:	VTNZ, 40 Lincoln Street, Hamilton.

## Vehicle details



fig.1

Registration No:	[Redacted]	Year:	1989
Make:	Nissan	Colour:	Blue / Silver
Model:	Patrol	Speedometer reading:	325999 km
VIN No:	KY60105498	Motive Power:	Petrol
Engine Capacity:	4200 cc's	Airbags Fitted?	No
		Airbags Deployed?	N/a
Type:	Station Wagon Four wheel drive Right hand drive		

The vehicle was mobile, so road tests were possible.

**Warrant of Fitness details**

WOF No: UD396631	Expiry date: 17/06/2008
Issued by: K A Motors	Other comments:

**Damage sustained**

Moderate dents to the left hand front mudguard, door and rear guard

**Report**

As per the attached Crash Investigation Request form, I have carried out my investigation on the aforementioned vehicle.

**Suspension:**

There is coil spring over live axle suspension fitted to the front and coil spring over trailing arm and live axle on the rear of the vehicle, there is no crash damage. All components are dry connected and visually in good order. Rear suspension components are undamaged, connected and in good condition.

**Steering:**

Steering consisted of a hydraulically power assisted steering rack, All the steering components are visually in good condition. The steering operation was checked, steering operated freely from lock to lock, and on road test demonstrated no irregularities.

**Brakes:**

There are disc brakes fitted on the front and rear, operated by a vacuum assisted, dual circuit master cylinder.

The front disc brakes visually have an even average of 3mm of friction material remaining on all pads, the rotors are polished, associated components are dry, dusty in good condition.

The rear disc brakes visually have an even average of 3mm of friction material remaining on all pads, the rotors are polished, associated components are dry, dusty in good condition.

The master cylinder reservoir is  $\frac{3}{4}$  full with slight leakage onto the brake booster, brake pedal travel was 50mm with a firm pedal.

Handbrake travel is 130mm or 10 clicks.

Brake performance tests were carried out on an Autoteknik BM12200 roller brake machine, Serial No. SR004673

Brake performance results are based on a percentage of the gross weight of each axle tested. Overall performance is the sum of both axles.

Vehicle weight was obtained from Waste Management Ltd. certified weighbridge Frankton. With a weight of 2030kg at the time of inspection.

The results are as follows:

**Service brake:**

1 <sup>st</sup> axle	Result Left	350kn	Right	330kn
2 <sup>nd</sup> axle	Result Left	250kn	Right	270kn

This equates to a service brake performance of 59.11%

**Park brake:**

2 <sup>nd</sup> axle	Result Left	260kn	Right	300kn
----------------------	-------------	-------	-------	-------

This equates to a parkbrake performance of 27.58%

A road test was also carried out up to 60kph, The vehicle demonstrated no braking or handling irregularities.

**Tyres:**

All tyres are 10R x 15LT, condition as follows.

Left front	Bridgestone, 7mm of tread remaining, tyre is inflated to 31psi.
Right front	Bridgestone, 6mm of tread remaining, tyre is inflated to 30psi
Left rear	Bravo, 9mm of tread remaining, tyre is inflated to 29psi.
Right rear	Dunlop, 3mm of tread remaining, tyre is inflated to 38psi.

Tyres are correctly size and type matched with adequate tread depth and pressure.

**Electrical:**

All electrical systems operated normally, right hand headlight alignment is set to high, left hand headlight alignment is set lower than recommended.

**Summary of faults found**

As per the attached Crash Investigation Request form, I have carried out my investigation on the aforementioned vehicle.

- No faults found.

**Report Summary**

As far as I could inspect the vehicle, I found no defects that in my opinion could have been a contributing factor in the cause of the crash.



Signature:

Name:

P.N. Caplan

Designation:

Vehicle Inspector

**COPY OF WORKSHEET AVAILABLE ON REQUEST**

# Light Vehicle Crash Investigation Worksheet

To be completed by the Vehicle Inspector as per the Vehicle Crash Investigation Request (to be attached).

<b>Inspection details</b>	<b>Service Slip Number:</b>
---------------------------	-----------------------------

Name of VTNZ Vehicle Inspector:	Paul Caplan		
VTNZ station base:	40 Lincoln St, Hamilton		
Inspection requested by:	G-Fitzpatrick		
Date of inspection:	17-3-08		
Place of inspection:	Williams Salvage, 121 Columbus St, Hamilton		

## Vehicle details

Make:	Model:	Year:	Colour:
Nissan	Patrol	1989	Blue Silver
Registration No:	VIN/Chassis No:		
[REDACTED]	[REDACTED] ✓		
Motive Power:	Engine Capacity:	cc's	Odometer reading:
Petrol	4200		Digital [ ] Analog [X] 325999 Klm Miles Hours
<del>Sedan</del>	Utility	Front Wheel Drive	Right hand drive
<del>Hatchback</del>	<del>Van</del>	<del>Rear Wheel Drive</del>	Left hand drive
Stationwagon	Light truck	Four Wheel Drive	Airbags fitted: D[X] P[X] S[X] Deployed: Y / N D[ ] P[ ] S[ ] N/A

D = drivers P = passenger S = side

## Warrant / Certificate of Fitness details

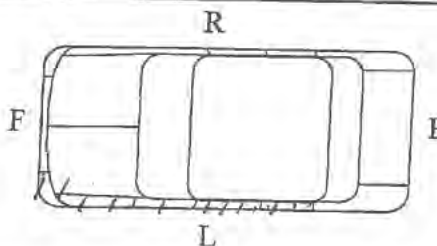
WOF No:	UD 396631	Expiry date:	17-6-08
Issued by:	KA Motors	Other comments:	

## Damage sustained

Indicate on the diagram the areas of major and/or relevant damage.

Comments:

Damage to L/F bumper, F/guard, L/H door & L/R guard



The vehicle was / ~~was not~~ mobile therefore a road test was / ~~was not~~ possible.



that components were inspected, and a cross indicates that components were unable to be inspected.  
 If you cross an item, add an explanation. If you tick an item, write any comments, eg: OK or NoDamage.

# 1. Steering and suspension

Item	□/x	Comments/Damage	
<b>Front suspension</b> Coil spring and wish bones McPherson strut Leaf spring Torsion bar other: Over live axle.	✓	In good servicable condition	
<b>Rear suspension</b> Coil spring and trailing arm McPherson strut Leaf spring other: over live axle	✓	n	
<b>Steering</b> Box Rack & Pinion Manual Power Assisted - Hydraulic - Electric	✓	n	
<b>Steering wheel and column</b> Flex coupling Universal joints	✓	n	
<b>Operation of Steering</b> Turns Lock to Lock [4.25] Available turns [4.25] Rods and or Joints	✓	Smooth operation from lock to lock	
<b>Wheel Bearings</b>	✓	LF adjustment required.	RF Adjustment required.
	✓	LR OK	RR OK
<b>Wheel Rims and Nuts</b> A = Alloy S = Steel O = OE N = non OE	✓	LF OK	RF OK
	✓	LR OK	RR OK

**Further comments on steering:**

**Further comments on Suspension:**

## 2. Brakes

Before carrying out a visual inspection, refer to section 3 - Brakes test in this worksheet. If the brakes cannot be tested using test option A, Then remove the road wheels and brake drums and/or calipers to ascertain whether the brakes were in working condition prior to the crash.

Item	□/x	Comments / Damage
Master cylinder Dual circuit <del>single circuit</del> other: Brake Booster (Y) <del>N</del>	✓	Slight leakage onto brake booster.
Reservoir level Empty WVA $\frac{3}{4}$ <del>Full</del>	✓	
Service brake pedal travel (mm)	✓	50 mm Firm pedal
Anti-lock Braking System (ABS)	<del>Y</del> / (N)	
Braking System Modified	<del>Y</del> / (N)	

Front Service Brakes				
disc pads <del>drum</del> <del>linings</del>	✓	LF Wheel not removed as brakes checked on Certified brake roller machine Rotor worn but polished. Dry	Outer <del>leading</del> 3 mm inner <del>trailing</del> 3 mm	Approx
OT = other brake type add Description / comments:	✓	RFD dusty u	outer <del>leading</del> 3 mm inner <del>trailing</del> 3 mm	Approx
Rear Service Brakes	✓	LR u	Outer <del>Leading</del> 6 mm inner <del>trailing</del> 6 mm	Approx
Extra comments:	✓	RR u	Outer <del>Leading</del> 8 mm inner <del>trailing</del> 8 mm	Approx

Brake Components pipes hoses connections brake calipers or cylinders	✓	All dry & dusty & in good condition
Brake Fluid Test By request only	Y (N)	Results:

Parking Brake: Disc <input checked="" type="checkbox"/> Drum <input checked="" type="checkbox"/> Drum in Rotor <input checked="" type="checkbox"/> Fitted to: Front Rear Axle			
Cardan shaft (transmission brake)	(Y) / N		
Lever Location and Travel LH side of drivers seat.	✓	130 mm	10 clicks
Cables and or Linkages	✓		

### 3. Brakes test

#### OPTION A

Complete the following:

A Rolling test of the brakes with a \_\_\_\_\_ (make) \_\_\_\_\_ (model) \_\_\_\_\_ (serial no) which is a certified and approved brake testing machine.

Service brake readings in kN (kilo Newtons) / lbs / kgs:

1 <sup>st</sup> Axle Left	350	1st Axle Right	330
2nd Axle Left	250	2 <sup>nd</sup> Axle Right	270

Park brake readings in kN (kilo Newtons) / lbs / kgs:

Left	260	Right	300
------	-----	-------	-----

Or: by Certified Tapley Meter s/n:

The service brake stopped the vehicle with \_\_\_\_\_ % efficiency which equals \_\_\_\_\_ metres at approx. 30 km/h.  
The parking brake stopped the vehicle with \_\_\_\_\_ % efficiency which equals \_\_\_\_\_ metres at approx. 30 km/h.

If applicable: The following test should also be carried out.

The Cardan shaft parking brake held / ~~failed to hold~~ the vehicle on a grade of approximately one in 5

These brake figures are: satisfactory unsatisfactory for this vehicle

#### OPTION B

A static brake test was carried out with the vehicle raised.

When the service brake was applied, ALL or the LF, LR, RR, RF wheels could / could not be turned  
When the parking brake was applied, The front [ ] rear wheels [ ] could / could not be turned

#### OPTION C

No brake tests could be conducted however:

## 5. Tyres

Complete the following details for each tyre:

First Axle LEFT

First Axle RIGHT

Make of tyre:	Bridgestone	Make of tyre:	Bridgestone
Size:	10R45LT	Size:	10R18LT
Tread Depth:	7mm	Tread Depth:	6mm
Inflation Level:	31psi	Inflation Level:	30psi
New Retread Tubeless Tube Radial Crossply		New Retread Tubeless Tube Radial Crossply	
Comments:		Comments:	
Speed/Load rating:		Speed/Load:	

Second Axle LEFT

Second Axle RIGHT

Make of tyre:	Brava	Make of tyre:	Dunlop
Size:	31x10.50R15LT	Size:	31x10.50R15LT
Tread Depth:	9mm	Tread Depth:	3mm
Inflation Level:	29psi	Inflation Level:	38psi
New Retread Tubeless Tube Radial Crossply		New Retread Tubeless Tube Radial Crossply	
Comments:		Comments:	
Speed/Load rating:		Speed/Load:	

Second Axle LEFT Inner (Dual wheels only)

Second Axle RIGHT Inner (Dual wheels only)

Make of tyre:		Make of tyre:	
Size:		Size:	
Tread Depth:		Tread Depth:	
Inflation Level:		Inflation Level:	
New Retread Tubeless Tube Radial Crossply		New Retread Tubeless Tube Radial Crossply	
Comments:		Comments:	
Speed/Load:		Speed/Load:	

SPARE Wheel (s)

Type: Full size	Comments: Tyre & rim in good condition
-----------------	--

## 6. Condition of vehicle parts

Circle the options as appropriate for this vehicle. Test each item as necessary, for example switch the headlights on and off. If you are unable to test any item(s), state the reason in the comments column.

### Lights

Item	Condition	<input type="checkbox"/> /x	Comments/Damage
System Configuration	<input checked="" type="checkbox"/> Multi <input checked="" type="checkbox"/> Single		
Headlight switch position	Off <input checked="" type="checkbox"/> On		
Headlight switch position	Park lights Headlights	<input checked="" type="checkbox"/>	At time of inspection 10:15am 17-3-08
Right headlight	Working Y / N	<input checked="" type="checkbox"/>	Alignment too high
Left headlight	Working Y / N	<input checked="" type="checkbox"/>	Alignment too low
High beam warning lamp	Working Y / N		
Auxiliary lights <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N	Type: Fog Driving	<input checked="" type="checkbox"/>	4 fitted. None working
Left	Working Y / N	<input checked="" type="checkbox"/>	
Right	Working Y / N	<input checked="" type="checkbox"/>	
Front Park Lights	Left Working Y / N	<input checked="" type="checkbox"/>	
	Right Working Y / N	<input checked="" type="checkbox"/>	
Rear Tail Lights	Left Working Y / N	<input checked="" type="checkbox"/>	
	Right Working Y / N	<input checked="" type="checkbox"/>	
Brake Lights	Left Working Y / N	<input checked="" type="checkbox"/>	
	Right Working Y / N	<input checked="" type="checkbox"/>	
High level brake light	Working Y / N	<input checked="" type="checkbox"/>	Not fitted
Regulatory	Y / N	<input checked="" type="checkbox"/>	
Reflectors	Comply <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input checked="" type="checkbox"/>	

Turn signals			
Left front	Working Y / N	<input checked="" type="checkbox"/>	
Right front	Working Y / N	<input checked="" type="checkbox"/>	
Left rear	Working Y / N	<input checked="" type="checkbox"/>	
Right rear	Working Y / N	<input checked="" type="checkbox"/>	
Dash warning lamps	Working Y / N	<input checked="" type="checkbox"/>	
Hazard warning lamps	Working Y / N	<input checked="" type="checkbox"/>	

# Glazing

Windscreen type- <input type="radio"/> OE <input checked="" type="radio"/> <del>OE</del> <input checked="" type="radio"/> Laminated <input checked="" type="radio"/> Toughened <input checked="" type="radio"/> Tinted <input checked="" type="radio"/> antiglare band	<input checked="" type="checkbox"/>
Left side <input type="radio"/> OE <input checked="" type="radio"/> <del>OE</del> <input checked="" type="radio"/> Laminated <input checked="" type="radio"/> Toughened <input checked="" type="radio"/> Tinted <input checked="" type="radio"/> <del>Y/N</del> other <input checked="" type="radio"/> <del>Y/N</del>	
Condition: G = good, P = poor, C = cracked, S = shattered	
Right side <input type="radio"/> OE <input checked="" type="radio"/> <del>OE</del> <input checked="" type="radio"/> Laminated <input checked="" type="radio"/> Toughened <input checked="" type="radio"/> Tinted <input checked="" type="radio"/> <del>Y/N</del> other <input checked="" type="radio"/> <del>Y/N</del>	Glazing Condition at time of Inspection
Rear Screen <input type="radio"/> OE <input checked="" type="radio"/> <del>OE</del> <input checked="" type="radio"/> Laminated <input checked="" type="radio"/> Toughened <input checked="" type="radio"/> Tinted <input checked="" type="radio"/> <del>Y/N</del> other <input checked="" type="radio"/> <del>Y/N</del>	

# Seatbelts

Front seat belts	<input type="checkbox"/> /x	Comments/Damage
<b>Right Front</b> Inertia reel, lap and diagonal Dual sensitive - <del>Single Sensitive</del> Fixed Lap and diagonal Diagonal only - Fixed/Retractable Lap only - Fixed/Retractable Approved for vehicle application <input checked="" type="radio"/> Y <input checked="" type="radio"/> N	<input checked="" type="checkbox"/>	Buckle appears to have been chewed by dog. Still operational.  OK
<b>Left Front</b> Inertia reel, lap and diagonal Dual sensitive - <del>Single Sensitive</del> Fixed Lap and diagonal Diagonal only - Fixed/Retractable Lap only - Fixed/Retractable Approved for vehicle application <input checked="" type="radio"/> Y <input checked="" type="radio"/> N	<input checked="" type="checkbox"/>	OK
Front Centre Lap Belt Type Approved <input checked="" type="radio"/> Y <input checked="" type="radio"/> N <input checked="" type="radio"/> N/A		

Note:- Driver's seat not secure,

### Seatbelts continued:

<b>Right Rear</b> Inertia reel, lap and diagonal Dual sensitive - <del>Single Sensitive</del> Fixed Lap and diagonal Diagonal only - Fixed / Retractable Lap only - Fixed / Retractable Approved for vehicle application <u>Y</u> / <del>N</del>	✓	Buckle appears to have been chewed by dog. Still operational  OK
<b>Left Rear</b> Inertia reel, lap and diagonal Dual sensitive - <del>Single Sensitive</del> Fixed Lap and diagonal Diagonal only - Fixed / Retractable Lap only - Fixed / Retractable Approved for vehicle application <u>Y</u> / <del>N</del>	✓	OK
<b>Centre Rear</b> Inertia reel, lap and diagonal Dual sensitive - <del>Single Sensitive</del> Fixed Lap and diagonal Diagonal only - Fixed / Retractable Lap only - Fixed / Retractable Approved for vehicle application <u>Y</u> / <del>N</del>	✓	OK

Windscreen wipers	<input type="checkbox"/> /x	Comments/Damage
Front Fitted <u>Y</u> / <del>N</del> Arms and blades - condition	✓	Good <input checked="" type="checkbox"/> Poor [ ]
Switch <del>On</del> - Intermittant <u>Off</u> Low High	✓	At time of inspection
Rear Fitted <u>Y</u> / <del>N</del> <del>N/A</del> On <del>X</del> / <u>N</u>	✓	At time of inspection
Other (specify)		

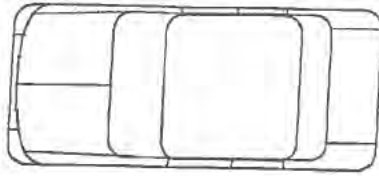
Sun visors		
Interior Right <input checked="" type="checkbox"/> Left <input checked="" type="checkbox"/>	Type: Flap <input checked="" type="checkbox"/>	in use: LH: <del>X</del> / <u>N</u> RH: <del>X</del> / <u>N</u>
Exterior <del>Y</del> / <del>N</del> / <del>N/A</del>	Blind [ ]	

Heater demister		
Switch: Fan ON <del>X</del> / <u>N</u> A/C ON <del>X</del> / <u>N</u> <del>N/A</del>	✓	

Cold <input checked="" type="checkbox"/> Warm [ ] Hot [ ] Mode: Face <input checked="" type="checkbox"/> Demist [ ] Feet [ ] Demist/Face [ ] Face/Feet [ ] other [ ] Fresh air [ ] Recirc Air <input checked="" type="checkbox"/>	✓	
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### Occupant Safety Systems:

Airbags: mark "X" on diagram for position.  
And/or "D" for deployed



Traction Control, fitted Y / N ON / OFF

### Doors & Retention System

Door locks / handles (inside and out)		
Left front	✓	Both operational (handles)
Left rear		
Right rear	✓	4
Right front		

Child safety locks		
Fitted	<del>OFF</del>	✓
Not fitted	<del>OFF</del>	
Position: Left rear & Right rear doors		N/A
Other:		
Child Restraints	Y / N N/A	N/A
Approved Standard	Y / N	

Speedometer		
Fitted	(Y) / <del>N</del>	✓
Connected	Y / N	
Analog / Digital	Cable / <del>Electronic</del>	

Rear Vision Mirrors			
Internal	(Y) / <del>N</del>	✓	OK
External:	left [✓] right [✓]	✓	OK

Warning Device			
Fitted	(Y) / <del>N</del>	✓	OK



<b>Exhaust</b>		
Standard <input checked="" type="radio"/>	Good condition <input checked="" type="checkbox"/>	✓
Modified <input type="checkbox"/>	Leaks <input checked="" type="checkbox"/>	

<b>Engine and Transmission</b>		
Standard <input checked="" type="radio"/>	Modified <input type="checkbox"/>	✓
Re-powered <input type="checkbox"/>	<del>Re-powered</del>	
Petrol <input checked="" type="checkbox"/>	Diesel <input type="checkbox"/>	✓
LPG <input type="checkbox"/>	CNG <input type="checkbox"/>	
Electric <input type="checkbox"/>		
Carburettor <input type="checkbox"/>	Fuel injection <input checked="" type="checkbox"/>	
Throttle	drivers control	Smooth operation u
	Engine control	
Transmission: <del>Auto</del> <input type="checkbox"/>	Manual <input checked="" type="checkbox"/>	✓
Driveshaft(s) <input checked="" type="checkbox"/>		

### Structural strength

Give details of any structural modifications or defects. Circle as appropriate in the table below:

	Yes / No	Comments/Damage
Any obvious structural defects?	Yes <input checked="" type="radio"/> No <input type="checkbox"/>	
Corrosion Take photo images showing position(s) None found	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Structural modifications	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
LVVC plate or certificate #	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Towbar fitted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

### Report Summary and/or Extra Notes:

## Light Vehicle Crash Investigation Report

<b>Inspection details</b>	<b>Service Slip Number:</b>
---------------------------	-----------------------------

Name of VTNZ Vehicle Inspector:	Paul Nicholas Caplan.
VTNZ station base:	40 Lincoln Street, Hamilton
Inspection requested by:	Constable: D.Tidmarsh
Date of inspection:	25/02/2008
Place of inspection:	Williams Salvage, 121 Colombo Street, Hamilton.

<b>Vehicle details</b>
------------------------



Fig.1

Registration No: [REDACTED]	Year: 1993	
Make: Honda	Colour: Silver	
Model: CBR1000F	Speedometer reading: 46889 km.	
VIN No: JH2SC24UXPM400148	Motive Power: Petrol	
Engine Capacity: 998 cc's	Airbags Fitted? N/A	Airbags Deployed? N/A
Type: Motorcycle		

The vehicle was not mobile, so no road test was possible.

**Warrant of Fitness details**

WOF No: CU439634	Expiry date: 01-05-2008
Issued by: Thames Mitsubishi	Other comments:

**Damage sustained**

Severe crash damage to both front forks, steering head, fairing, fuel tank, right hand exhaust, front brake controls and master cylinder torn off in the crash.

**Report**

As per the attached Crash Investigation Request form, I have carried out my investigation on the aforementioned motorcycle.

**Steering and suspension:**

The front suspension was of a internal coil, twin fork, oil damper type, fixed into a single pivot shaft which mounts in the steering hub assembly. The upper steering pivot is intact. The right hand side of the handlebar is torn off, left hand side is damaged but still attached.

All steering gear and suspension visually appears to have been intact and in a satisfactory condition prior to the crash, steering was jammed and unable to be tested.

The rear suspension is single coil over shock with trailing arms, suspension is connected and in serviceable condition.

**Brakes:**

Front brakes consisted of a single circuit hydraulic operated hand control fitted to right side handle bar. The twin vented rotors are actuated by two 2 piston calipers. Friction material was evenly worn with an average of 3.5mm remaining. The hand control lever and master cylinder were torn off in the crash.

Rear brakes consisted of a hydraulic foot control fitted to the right side of the cycle, all components are visually intact and operate when tested.

The single rotor operated by a twin piston caliper was in a good serviceable condition with 1.6mm even average of friction material remaining. Pedal travel was 26mm with a firm pedal.

All brake components were dry and dusty with no visible pre crash leaks detected.

Operational test were carried out on the rear brake and when the brake was applied the rear wheel could not be turned.

No test could be carried out on the front brakes due to the extent of the damage, but visual inspection indicated that there were no pre-crash faults.

**Tyres:**

Both tyres fitted were Pirelli radials.

The front tyre is 120/70 x ZR17. with a tread depth of 3 to 4mm, tyre is inflated to 28psi.

The rear tyre is 160/70 x ZR17. with a tread depth of 2 to 4mm, and inflated to 30psi

The Alloy wheels are original equipment, the tyres are size and type matched for the wheels.

There is sufficient tread depth and pressure on the tyres.

**Electrical:**

The front lights are destroyed, rear lights are fitted and visually in good order, no operational tests were possible due to the extent of the crash damage.


**Summary of faults found**

As per the attached Crash Investigation Request form, I have carried out my investigation on the aforementioned vehicle.

- No faults found

**Report Summary**

I have inspected the Motor Cycle, I found no mechanical defects that in my opinion could have been a contributing factor in the cause of the crash.

Signature: 

Name: P.N. Caplan  
Designation: Vehicle Inspector

**COPY OF WORKSHEET AVAILABLE ON REQUEST**

# Motorcycle Crash Investigation Worksheet

To be completed by the Vehicle Inspector as per the Vehicle Crash Investigation Request (to be attached).

<b>Inspection details</b>	<b>Service Slip Number:</b>
---------------------------	-----------------------------

Name of VTNZ Vehicle Inspector:	Paul Caplan		
VTNZ station base:	40 Lincoln St, Hamilton		
Inspection requested by:			
Date of inspection:	17-3-08		
Place of inspection:	Williams Salvage - 121 Columbus St, Hamilton		

Vehicle details			
Make:	Model:	Year:	Colour:
Honda	CBR1000F	1993	Silver
R [redacted]	VIN/Chassis No:	[redacted]	
Motor Power:	Engine Capacity:	Odometer reading:	
Petrol	998 cc's	Digital [ ] Analog [X] 46889	Klm Miles Hours
Moped Motorcycle Trike	Motor scooter Motorcycle with sidecar Quad bike	Rear (single) Wheel Drive Rear axle (2 wheel) Drive	Four wheel drive

Warrant / Certificate of Fitness details	
WOF No: UC 439634	Expiry date: 1-5-08
Issued by: Thames Mitsubishi	Other comments:

Damage sustained
------------------

Indicate on the diagram the areas of major and/or relevant damage.

<p>Comments:</p> <p>Severe crash damage to both front forks (with steering head, fairing, fuel tank, R/H exhaust, front brake controls. Brake master cylinder ripped off in crash</p>	
---	--

The Motorcycle ~~was~~ / was not mobile, therefore a road test ~~was~~ / was not possible.

**NOTE TO INSPECTORS:** As each item is checked, place a tick or cross in the /x column. A tick indicates that components were inspected, and a cross indicates that components were unable to be inspected. If you cross an item, add an explanation. If you tick an item, write any comments, eg: OK or NoDamage.

## 1. Steering and suspension

Item	<input type="checkbox"/> /x	Comments/Damage	
<b>Front suspension</b> Internal Coil spring and Hydraulic damper Girder Fork arrangement other:	✓	R/H fork severely crash damage L/H appear to be intact & in good order	
<b>Rear suspension</b> Coil spring over shock and trailing arm other:	✓	Visually intact & in good order.	
<b>Steering</b> Steering head Damper Handlebar (s) Coupling and joints	✓	Steering head appears to be visually intact. L/H handle bar crash damaged. R/H ripped off in crash. Not present.	
<b>Operation of Steering</b>	✓	Steering still connected. Very little movement due to crash damage	
<b>Wheel Bearings</b>	✓	Front OK	Rear OK
<b>Front Wheel Rim</b> Alloy Spoke	✓	Visually intact & in good order	
<b>Rear Wheel Rim</b> Alloy Spoke	✓	"	
<b>Further comments on steering:</b>			
<b>Further comments on Suspension:</b>			

## 2. Brakes

Before carrying out a visual inspection, refer to section 3 - Brakes test in this worksheet. If the brakes cannot be tested using test option A, Then remove the road wheels and brake drums and/or calipers to ascertain whether the brakes were in working condition prior to the crash.

Item	<input type="checkbox"/> /x	Comments / Damage
<b>Front Hand Brake</b> Hydraulic <del>Dual circuit</del> Single circuit Fluid Level: <u>Full</u> <del>3/4</del> <del>1/2</del> <del>1/4</del> Empty Mechanical: Other: Travel in mm [ x ]	✓	Severity of crash damage to hand control. Unable to test travel - All components appear to have been in good condition pre crash.
<b>Rear Foot Brake</b> Hydraulic <del>Dual Circuit</del> Single circuit Fluid Level: <u>Full</u> <del>3/4</del> <del>1/2</del> <del>1/4</del> Empty Mechanical Other: Travel in mm [ ✓ ]	✓	Dry & dusty -  26 mm - Firm pedal Foot control mounted on R/H side
Anti-lock Braking System (ABS)	✗ (N)	
Braking System Modified	✗ (N)	

<b>Front Service Brakes</b> disc pads drum linings  OT = other brake type add Description / comments:	✓	Twin Caliper, twin disc set up. all brake pad 3.5 mm friction material both rotors polished & in good condition. Some contamination on R/F disc from fork oil.	Outer leading 10.6 mm Inner trailing
<b>Rear Service Brakes</b> disc pads drum linings  Extra comments:	✓	Single disc, single caliper Dual piston. Dry & dusty.	Outer leading 1.6 & 1.7 mm inner trailing
<b>Brake Components</b> pipes hoses connections brake calipers or cylinders Cables and or linkages	✓	All components at rear in <del>visually</del> visually good condition. Front component appear to have been in good condition, pre crash.	
<b>Brake Fluid Test</b> By request only	Y (N)	Results:	

### 3. Brakes test

#### OPTION A

A Rolling test of the brakes was made in the form of a road test.

The Front brakes pulled the cycle up in [ ] metres at [ ] Klm/hr  
 The rear Brakes pulled the cycle up in [ ] metres at [ ] Klm/hr  
 The Combined Brakes pulled the cycle up in [ ] metres at [ ] Klm/hr

This is Satisfactory [ ] not Satisfactory [ ] for this Cycle

#### OPTION B

A static brake test was carried out with the vehicle raised.

When the Front service brake was applied, Front wheel ~~could / could not~~ be turned  
 When the Rear Service brake was applied, The Rear wheel ~~could / could not~~ be turned

#### OPTION C

No brake tests could be conducted however:

*front brake*  
 Unable to test due to crash damage. Components appear to have been in good condition, pre crash.

### 5. Tyres

Complete the following details for each tyre:

#### First Axle

Make of tyre:	Pirelli
Size:	120/70 ZR 17
Tread Depth:	3-4 mm
Inflation Level:	28 psi
New Retread	
Tubeless Tube	
Radial Crossply	
Comments:	
Speed/Load rating:	

#### Second Axle

Make of Tyre:	Pirelli	Make of Tyre:	
Size:	160/70 ZR 17	Size:	
Tread Depth:	2-4 mm	Tread Depth:	
Inflation Level:	30 psi	Inflation Level:	
New Retread		New Retread	
Tubeless Tube		Tubeless Tube	
Radial Crossply		Radial Crossply	
Comments:		Comments:	
Speed/Load rating:		Speed/Load rating:	

Mudguards:	✓ Front & rear fitted. Front severely crash damaged, Rear OK
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<b>Glazing</b>		
Windscreen: Fitted: <del>Y</del> / <u>N</u> type- GE: <del>Y</del> / <u>N</u>		✓
Fairing: Fitted <del>Y</del> / <u>N</u>		✓
<b>Seatbelts</b> Trike: Fitted Y / N Comply Y / N Other: <del>Y / N</del> <del>Y / N</del>		N/A

<b>Speedometer</b>		
Fitted <u>Y</u> / <del>N</del> Connected <u>Y</u> / <del>N</del>		✓
Analog / <del>Digital</del> Drive: Cable / <del>Electronic</del>		

<b>Rear Vision Mirrors</b>		
External: left [ ] right [ ]	None present.	

<b>Warning Device</b>		
Fitted Operates <u>Y</u> / <del>N</del> <del>Y</del> / <u>N</u>		✓

<b>Exhaust</b>		
<u>Standard</u> [ ] Good condition <u>Y</u> / <del>N</del> <del>Modified</del> [ ] Leaks Y / N	Appears to have been in good condition, pte crash. L/R side ok.	

<b>Engine:</b>		
Standard [ ] Modified [ ] No. Cyls <u>4</u>		

<b>Transmission:</b>		
Manual <input checked="" type="checkbox"/> x <u>6</u> speed <u>5</u> gear engaged at time of inspection. Auto [ ]		
Drive: Shaft [ ] Chain <input checked="" type="checkbox"/> Belt [ ]		

## Structural strength

Give details of any structural modifications or defects. Circle as appropriate in the table below:

Any obvious structural defects?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Comments/Damage
Corrosion <i>Take photo images showing position(s)</i>		✓
Structural modifications	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	✓
LVVC plate or certificate #	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Towbar device fitted?	Yes <input type="checkbox"/> No <input type="checkbox"/>	

Report Summary and/or Extra Notes:

**POLICE JOBSHEET - INJURY / FATAL VEHICLE CRASH**

Card / Event Number: 1000886599

Time: 11-26.

Date: 16-03-08

M / T / W / T / F / S / S

Time of First Call: 1245

Time Attended: 1300

Road: BUSH ROAD East  
1030 metres N-SW of SH 25

Locality: PIRIROA

District: HAURAKI

Attending NCO: Sgt TIMBLEY

O/C Crash File CONST CONVERS BROTTS  
TIMBLEY.

O/C 1S File:

**BRIEFING NOTES:**

Vehicles located part on driveway of 108  
Bush Rd and part on road of west-bound  
lane.

Scene Secured:  Y / N local police / fire.

Scene Closed to Traffic:  Y / N

Evidence Moved?  Y / N

Details:

Motorcyclist rolled over by ambulance staff  
some debris moved by civilians plus police  
critical.

**OTHER SERVICES:**

Fire     Ambulance     Local Police    Victim support    Power    Roading Authority  
Telecom    Photography Const Pearson    Tow Negatek  
O/C TSB Advised / Attended: phoned    CIVIL

**ROAD:**

Advisory Speed:

Speed Limit: 100 -

Signs:

**Curvature:** Straight Easy Moderate Severe S-Bend  
R-Curve (Facing) N / S / W / E Cross Gradient Pos / Neg

**Surface:** Bitumen Gravel Dirt ( Loose / Packed / Travelled) Fine Chip Course  
Medium Chip Course Other:

**Elevation:** Undulating Flat Decline / Incline (Easy / Moderate / Steep) Facing N S W E

**Type:** Bridge M-W Ramp Rail X-ing Culvert Driveway R-Bout Ped X-ing  
X T Y Multileg (#.....)  
One Way Two Way Lanes: 1 2 3 4 5 6 7 8

**Controls:** N/A Traffic Lights Stop Give Way School Patrol Uncontrolled

**Markings:** Centreline Painted Island Raised Island Ped X - ing Cats Eyes Fog Lines  
Hatching L / R / C Marker Posts Good / Average / Poor Condition  
Broken / Solid Yellow Lines Single/Dual N S W E

**Condition:** Good ~~average~~ Excellent Poor Potholed Uneven Rutted Ice Snow  
Tar Bleeding (Extensive / Patchy) Tar Tracking Corrugated Moss

Surface Contaminants / Debris:

Y / N light dirt by driver

Details/Notes:

Occurred at driveway to ROS on south side  
Motorcycle travelling west.  
light pot holes to crown.

**FRICTION TESTING:**

Completed at scene: Y / N

Vericom: Y / N

Drag Wheel:

# Samples:

Lowest:

Highest:

Comments:

VEHICLE

Reg:



Year: 1989

Type: 4x4

Make:

NISSAN

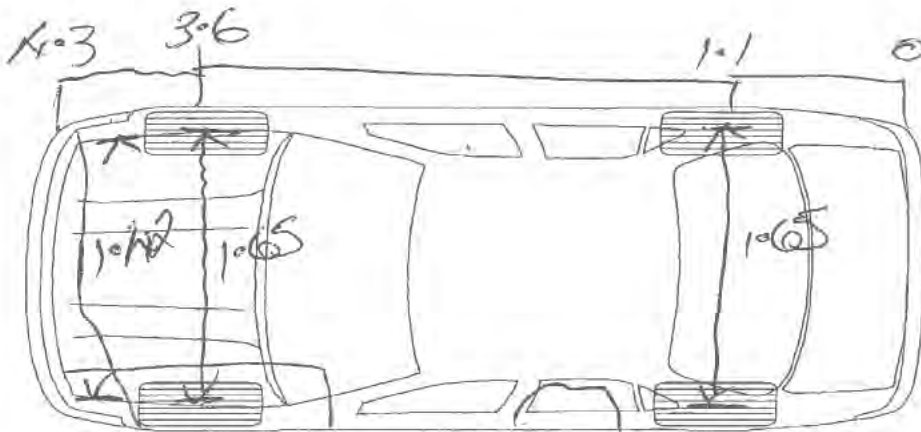
Model: Patrol

WOF/COF:

17-6-2008

L/L Exp: 17/12/08

Odometer: 325999



Driver: NEAL / Angela Susan



FLP: Turner / David / Edward



Wheels: After Market / Modified / Original

Size:

	Make:	Size:	PSI:	Tread:	Notes:
RF	BRIDGESTONE <del>MAXIS</del>	10R 15 LT. <del>31x10.5 R LT.</del>	33	6	
LF	BRIDGESTONE	10R 15 LT	33	7	
RR	DUNLOP <del>MAXIS</del>	31x10.5 R LT.	<del>33</del> 40	3	
LR	MAXIS	31+LT10 R15	33	9	small tear in sidewall

**SEATBELTS:**

**Driver:** Working Extended / Retracted Locked / Unlocked Good / Average / Poor Condition  
Damaged Stress Marks Burring Clipped / Unclipped  
Cut: Crash / Rescue Torn: Crash / Rescue **WORN: Yes / No / UK**

Notes:

**FP:** Working Extended / Retracted Locked / Unlocked Good / Average / Poor Condition  
Damaged Stress Marks Burring Clipped / Unclipped  
Cut: Crash / Rescue Torn: Crash / Rescue **WORN: Yes / No / UK**

Notes:

**RRP:** Working Extended / Retracted Locked / Unlocked Good / Average / Poor Condition  
Damaged Stress Marks Burring Clipped / Unclipped  
Cut: Crash / Rescue Torn: Crash / Rescue **WORN: Yes / No / UK**

Notes:

**RLP:** Working Extended / Retracted Locked / Unlocked Good / Average / Poor Condition  
Damaged Stress Marks Burring Clipped / Unclipped  
Cut: Crash / Rescue Torn: Crash / Rescue **WORN: Yes / No / UK**

Notes:

**Centre:** Working Extended / Retracted Locked / Unlocked Good / Average / Poor Condition  
Damaged Stress Marks Burring Clipped / Unclipped  
Cut: Crash / Rescue Torn: Crash / Rescue **WORN: Yes / No / UK**

Notes:

**CONTROLS / INTERNAL:**

Head Lights: On / Off / UK / High / Low Wipers: Int / 1 / 2 / Off / UK Blades: Extended / Retracted  
Indicators: L / R / Off / UK Handbrake: On / Off / UK Cruise Control: On / Off / UK  
Transmission: A / M Total Forward Gears: 5 Position: N 2H,  
Fan: On / Off / 1 2 3 4 5 6 Air to: Feet / Face / Floor / Def A/C: On / Off / UK  
Temp: Cold / Warm / Hot Intake: Recirc / Fresh Rear Demister: On / Off / UK

Cellphone: Yes / No Recovered Position: .....

Glazing: FR: Up / Down / UK FL: Up / Down / UK RR: Up / Down / UK RL: Up / Down / UK

VEHICLE

Reg: [REDACTED]

Year: 1993

Type: Motorcycle

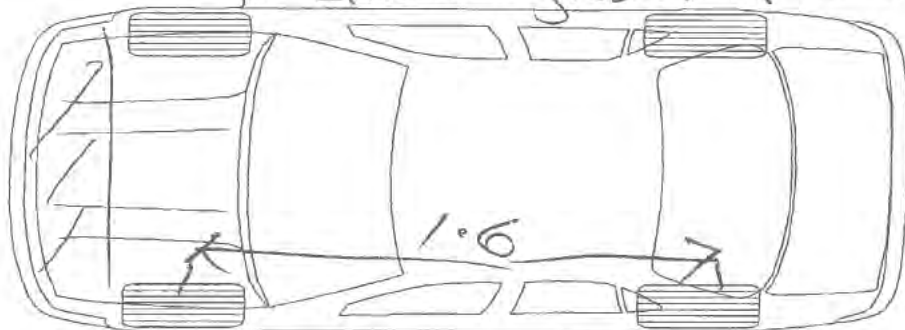
Make: Honda

Model: CBR 1000 F.

WOF/COF: could not reach

L/L Exp: 07-11-07 Odometer:

Frontal damage moderate - grazing to left engine case. Handle bar snapped. Left exhaust grazed. Impact clear to tank.



Right side impact damage to tank. Front right fork snapped. Rim damage to front wheel.

Rider Black Hebel black leather jacket.  
Blue jeans brown shirt + boots

ARMSTRONG/GERRARD/BRETT/NEEL

[REDACTED]

Wheels: After Market / Modified / Original

Size:

	Make:	Size:	PSI:	Tread:	Notes:
REAR	Pirelli Oregon	160/70 ZR17	32	L 3 C 4 R 4	
FR	Pirelli Strada	120/70 ZR17	32	L 3 C 3 R 3	
RR					
LR					