

Day 5 of Steven Petterson Trial 24. 1. 14

Expert Witness - Dr. Purdue - Independent pathologist

Post mortem carried out on 21.12.12.

Head injuries - On right side 13 horizontal lacerations and scuffs eye to ear, ear flap torn, nose broken, injuries to right side of chin, damage to teeth. No surface injuries on left side.

Rest body - Bruises on prominences and right buttock and thigh and right side of left leg.

Chest - Broken shoulder blades, collar bone and 38 ribs. Lungs badly bruised and punctured.

Previously healthy man.

Interpretation - Head struck while upright and looking right. Chest run over.

Defence Council - Suggested facing wing mirror at impact therefore shoulders turned.

Defence Council demonstrated his interpretation of this action where his arms and hands turned the imaginary handlebars to the right. Asked could second car have caused facial scuffs? -

Unlikely. Heavy blow knocked unconscious, could he have survived the head injuries? -

Possibly.

Police Witness - PC Claire Miller

Presented spectacles seized from Transit as evidence, 2 pairs in their cases including 1 pair tinted glasses and an empty case.

Presented C.C.T.V stills showing David and following vehicles passing traffic lights and their lane positions.

Defence - Clarified lay-by out of sight of collision site.

Defence Council with jury not present

Tried to persuade Judge to stop trial and declare no case to answer because not much lateral lane movement needed to accommodate David therefore not much for Mr. Petterson to see, cannot be sure when Mr. Petterson would be able to see, Mr. Petterson too far away to see movements and all speculation.

Prosecution - Quoted case law to prevent this

Judge's decision - for jury to assess

Defendant - Steven Petterson

Defence introduction - 38 years old, 7 children including 2 step children, youth worker at West End.

Response to Defence questions - Minibus acquired through work 6/12 months before collision.

Agreed with prepared statement. Intention to pick up step daughter from West End and take her to school where she should arrive before 9am. Left parents house and let out of Waterhouse Lane by Mr. Fairburn. Said busy in front but couldn't say what. Stayed in Lane 1 doing 30/40 mph. Sun glasses on and visor down, not distracted and concentrating. Started up incline,

vehicle in front had lights on. Coming off bend heard bang and saw flash of red, red bus stop post came to mind, mirror hit window, checked other mirror, went on and into lay-by. Cars still coming down road. Didn't stop because risk of being run into. On way through city thought "weird" so 'phoned Dad. Return call from Dad when arriving at West End therefore heard about ambulances in Mountbatten Way. 'Phoned police. Police returned call and told Mr. Petterson not to move van.

continued:-

Day 5 continued-

Prosecution queried difficulties and stress at home and work resulting in staying night at parents. Response to Prosecution questions - Couldn't remember when went to bed. Target time at Orchard Way, West End 8.40 am, should normally leave Waterhouse Lane at 8.15 am, 'phoned partner to say late but not particularly bothered. Wiped condensation from windscreen with sleeve after starting engine.

Video of journey shown from Waterhouse Lane to just before Paynes Road, clear view to top of Mountbatten Way, sun to right.

Response to Prosecution - Didn't see cyclist, couldn't remember car in front apart from lights. Estimated 3/4 car lengths from car in front and sun visor down and sunglasses on from start of journey.

Prosecution - Suggested better view from van than from a saloon car and Mr. Petterson not concentrating, on autopilot. Denied by Mr. Petterson

Prosecution - Suggested Mr. Petterson knew there was no bus stop,. Why not stop? Why didn't he walk back from the lay-by? Mr. Petterson said nowhere for pedestrians to walk.

Prosecution - Didn't he notice less traffic? Mr. Petterson said traffic still coming.

Prosecution showed photos of Mountbatten Way from Paynes Road and at intervals approaching brow of hill asking Mr. Petterson each time if he was blinded by the sun. Established not blinded by sun until 50/25m from collision site.

Prosecution suggested not keeping a look out.

Defence - Conditions at time not the same as photos. Mr. Petterson can't have been hurrying because he was in lane 1

Answers to jurors questions -

1. Wing mirror was not damaged previously, manufactured with brown tape on the back.

2. Mr. Patterson said he wiped all the condensation off the windscreen.

Other jury questions including queries on force required to smash wing mirror, possible contact between elbow and mirror not answered. Judge thought jury questions excessive.