



MAGISTRATES COURT of TASMANIA

CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Andrew McKee, Coroner, having investigated the death of Rosemary Josephine Hume,

Find, pursuant to Section 28(1) of the Coroners Act 1995, that

- a) The identity of the deceased is Rosemary Josephine Hume;
- b) Mrs Hume died as a result of multiple injuries sustained in a motorcycle crash;
- c) Mrs Hume's cause of death was multiple injuries; and
- d) Mrs Hume died on 1 November 2019 at Bass Highway, Wynyard, Tasmania.

Introduction

In making the above findings I have had regard to the evidence gained in the comprehensive investigation into Mrs Hume's death. The evidence includes:

- Tasmania Police Report of Death;
- Opinion of the Forensic Pathologist who conducted the post mortem examination;
- Affidavit of Phillip Hume, husband of Mrs Hume;
- Affidavit of Brian Wilkinson;
- Affidavit of Andrea Wilkinson;
- Affidavit of Andrew Cant;
- Affidavit of Catherine Barnett;
- Affidavit of David Medwin;
- Affidavit of Transport Inspector Phillip Evans;
- Report by Crash Investigator Senior Constable Adam Lloyd;
- Affidavit of attending police officers;
- Medical records and reports; and
- Forensics and photographic evidence.

Background

Rosemary Josephine Hume was born in Melbourne on 2 October 1963 and was 56 years of age at the date of her death.

At the date of her death, Mrs Hume was married to Mr Phillip Hume. They married on the 27 February 1993. Their marriage produced one child, a daughter Ms Leah Hume.

Mrs Hume had previously been married to Mr D Brewer and their marriage produced three children, Anthony, Mark and Kim Brewer.

At the date of her death Mrs Hume was employed by her husband in his business. Prior to commencing employment with her husband Mrs Hume had been employed as a disability carer for in excess of nine years.

Mrs Hume's Experience Riding Motorcycles.

Mrs Hume held a motorcycle license for approximately seven to eight years before her death. She owned a Harley Davidson 883cc Sportster motorcycle. She rode that motorcycle infrequently and tended to ride it on long distant interstate rides. Mrs Hume had ridden approximately 25000 km on her motorcycle in the four years that she owned it. She always wore appropriate apparel when riding a motorcycle. Mr Hume described Mrs Hume as a *“competent, experienced and reasonable rider.”*

The Collision

Mr and Mrs Hume left Victoria on the 31 October 2019 to undertake a motorcycle tour of Tasmania. They were in the company of a number of friends. The group consisted of 16 motorcycle riders and a support car. Mrs Hume was riding her Harley Davidson motorcycle.

The group boarded the Spirit of Tasmania on the evening of the 31 of October and arrived in Devonport on the 1 November at approximately 6 am.

After disembarking from the Spirit of Tasmania, the group had breakfast at the Dockside Café.

The group planned to travel to Stanley for lunch. They left Devonport and stopped at Somerset to allow Mr Hume to collect his cousin who was going to accompany him on his motorcycle to Stanley.

After collecting his cousin, the group continued on its journey to Stanley along the Bass Highway.

The group of motorcycle riders approached the roundabout on Mt Hicks Road on the Bass Highway. The group was travelling in a westerly direction.

Mrs Hume was riding next to Mr Hume. They were in the middle of the group of riders. Mr A Cant was riding behind the Hume's.

Mr and Mrs Hume rode through the roundabout. After exiting the roundabout and traveling a further distance both Mr Hume and Mr Cant observed Mrs Hume move into the adjacent lane. Mr Cant has expressed the opinion that it appeared to him that Mrs Hume was driving in a manner, which suggested she believed she was travelling on a dual carriageway. Mr Hume has expressed the view that he believes Mrs Hume has become confused.

Mr B and Mrs A Wilkinson were travelling in an easterly direction along the Bass Highway in their Kia Sportage. Mr Wilkinson was driving and Mrs Wilkinson was the front seat passenger. Both Mr and Mrs Wilkinson observed Mrs Hume move from the lane she was travelling in and enter into the lane they were travelling in. Both observed her to swing out wide and then pull back in front of them. A collision occurred between Mrs Hume's motorcycle and the Kia Sportage being driven by Mr Wilkinson.

Immediately after the collision members of the public and those travelling in Mrs Hume's group provided assistance to her. Emergency services attended the scene of the collision. Mrs Hume was declared deceased at the scene.

Post Mortem Examination and Toxicology Report.

A post mortem examination was conducted by Dr T Brain. Dr Brain expressed the opinion that Mrs Hume's cause of death was multiple injuries related to a motorcycle car accident. I accept his opinion as to Mrs Hume's cause of death.

Testing of blood samples taken from Mrs Hume and Mr Wilkinson did not detect the presence of illicit substances or alcohol in either sample.

Condition of the Vehicles Prior to the Collision.

Both vehicles were inspected after the collision by Mr P Evans a transport safety and investigations officer employed by the Department of State Growth. Both vehicles would have been classed by him as mechanically sound and roadworthy prior to the collision. Mr Evans' inspection did not reveal any faults that could have caused or contributed to the collision.

Crash Investigation Report.

A crash investigation report was prepared by Senior Constable A.E.Lloyd.

Senior Constable Lloyd provided the following opinion as to the cause of the collision:

“It is my opinion that the crash was caused solely due to the Harley Davidson crossing onto the incorrect side of the road. My investigation was unable to conclusively determine what caused the deceased to steer the Harley Davidson onto the incorrect side of the road, but there is sufficient evidence to suggest inattention and confusion with the road configuration was most probable. I concluded the deceased attempted to take evasive action to avoid the collision once she became aware of the oncoming Kia, however her choice of evasive action was taken without sufficient time or distance to enable her to safely return to the correct side of the road. Her choice of road position was the safest option for a one way dual carriageway, but meant she had to take the longest path possible to get back to safety on a two-way dual carriageway, which exacerbated the ineffectiveness of her evasive action.

It is my opinion that the Kia driver did not have any ability to take evasive action other than what he was already undertaking, once he identified the Harley Davidson as a hazard and once again when the Harley Davidson started to move into the path of his vehicle.”

I am satisfied Senior Constable Lloyd is qualified to express an opinion as to the cause of the collision and I accept his opinion as to the cause of the collision.

Comments and Recommendations

I extend my appreciation to Senior Constable Adam Lloyd for his investigation and report.

The circumstances of Rosemary Josephine Hume’s death are not such as to require me to make any comments or recommendations pursuant to Section 28 of the *Coroners Act 1995*.

I convey my sincere condolences to the family and loved ones of Mrs Hume.

Dated: 28 October 2021 at Hobart Coroners Court in the State of Tasmania.

Andrew McKee

Coroner