



MAGISTRATES COURT of TASMANIA

CORONIAL DIVISION



Record of Investigation into Death (Without Inquest)

Coroners Act 1995
Coroners Rules 2006
Rule 11

I, Olivia McTaggart, Coroner, having investigated the death of Elfride Elisabeth Beuckelaers

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

- The identity of the deceased is Elfride Elisabeth Beuckelaers;
- Ms Beuckelaers died as a result of head injuries due to a motor vehicle collision;
- Ms Beuckelaers died on 20 February 2015 on the Bass Highway, Elizabeth Town in Tasmania;
- Ms Beuckelaers was born in Bercham, Belgium on 11 April 1937; she was aged 77 years and was married.

In making the above findings I have had regard to the evidence gained in the comprehensive investigation into Ms Beuckelaers' death. The evidence comprises an opinion from the State Forensic Pathologist who conducted the autopsy; a detailed opinion from the crash investigator; relevant police and witness affidavits; medical records and reports; and forensic evidence.

I make the following further findings, based upon the evidence, as to how Ms Beuckelaers' death occurred.

At 2.22pm on Friday 20 February 2015, a silver Holden Zafira station wagon was being driven by Ms Beuckelaers on Christmas Hills Road, near the entry to the Christmas Hills Raspberry Farm on the Bass Highway. Her husband, Josephus Paulus Henricus Van Gerwen, aged 78 years, was seated in the front passenger seat. The couple had been visiting Tasmania to see their family who live at Latrobe.

Ms Beuckelaers exited the raspberry farm and travelled onto Christmas Hills Road where she slowed at a clearly visible "Give Way" sign at the junction with the Bass Highway. It is likely that she was attempting to make a right hand turn towards Latrobe to return to her family's residence. She entered the Bass Highway with "sudden acceleration". She failed to give way to a silver Mitsubishi Triton flat tray utility being driven east on the Bass Highway towards Launceston. The driver of the utility was Christopher Robert Harback.

Mr Harback managed to change lanes into the overtaking lane and brake, but he was unable to avoid the collision. The front of his utility impacted with the front driver's side door area of the Holden in a 'T-bone' style collision. As a result of severe injuries sustained, Ms Beuckelaers died at the scene. Mr Van Gerwen survived the crash with relatively minor

injuries. Mr Harback also sustained relatively minor injuries. There were no passengers in his vehicle.

I am satisfied that excessive speed, alcohol, drugs and mobile phone use were not factors in the crash. The evidence does not permit me to determine the reason why Ms Beuckelaers entered the highway contrary to the give way sign and in the path of the utility. She was a medically fit and experienced driver who was conversant with Tasmanian road rules. Ms Beuckelaers had been a regular visitor to the State with her husband every year for the previous 15 years. She had driven on both Tasmanian and mainland roads during this time without any problems or crashes. It is possible, given her experience of driving in Europe, that she looked to the right instead of the left for vehicles passing on the highway. Alternatively, she may simply have made an error of judgement. I am satisfied that Mr Harback drove appropriately and could not, unfortunately, have avoided the crash.

Comments and Recommendations:

I extend my appreciation to Senior Constable Michael Rybka for his high quality investigation and report.

The circumstances surrounding this matter do not require me to make any comments or recommendations pursuant to section 28 of *Coroners Act 1995*.

I convey my sincere condolences to Ms Beuckelaers' family and loved ones.

Dated: 25 March 2016 at Hobart in the State of Tasmania.

Olivia McTaggart
Coroner