



MAGISTRATES COURT *of* TASMANIA

CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Simon Cooper, Coroner, having investigated the death of Emma Frances Hayes

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

- a) The identity of the deceased is Emma Frances Hayes;
- b) Ms Hayes died from injuries sustained in a motor vehicle collision;
- c) The cause of Ms Hayes' death was multiple fatal injuries including laceration of the heart, aorta, liver, spleen, fracture dislocation of C1 vertebra, pulmonary haemorrhage and basal subarachnoid haemorrhage; and
- d) Ms Hayes died on 20 July 2020 on the Bass Highway at Elizabeth Town, Tasmania.

Introduction

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

- The Police Report of Death for the Coroner;
- An opinion of the pathologist who conducted the autopsy;
- The results of toxicological analysis of samples taken at autopsy;
- Affidavits confirming identification and life extinct;
- Affidavit of Senior Constable Nigel Housego, Crash Investigator;
- Affidavit of Casey Perkins, Transport Safety and Investigation Officer;
- Affidavit of Andrew Hayes, father of Ms Hayes;
- Affidavit of John Hoare, driver of the other motor vehicle;
- Affidavit of Megan Hoare, passenger in the other motor vehicle;
- Affidavits of Jeramie McLaren, and Christopher Brooke, witnesses to the aftermath of the collision;
- Affidavit of Alexander Cooper, friend of Ms Hayes;
- Affidavit of John Ruijschop, who sold Ms Hayes the motor vehicle she was driving at the time of the crash;
- Affidavit of Lisa Fulton, employee of the hotel where Ms Hayes was staying;
- Affidavits of attending and investigating police officers;

- Medical reports and records from Summerdale Medical Centre;
- Records from communication providers;
- Tasmania Police records;
- Crash data from State Growth; and
- Forensic and photographic evidence.

Circumstances of Death

Ms Hayes died because of massive injuries sustained by her in a motor vehicle accident that occurred in the evening of 20 July 2020 on the Bass Highway near Elizabeth Town.

Ms Hayes was driving a Ford motor vehicle south towards Launceston. She left her correct lane and travelled into the northbound lane where she came into collision with another vehicle. The driver of the other vehicle suffered serious injuries and his passenger suffered minor injuries.

Subsequent toxicological analysis of samples taken at autopsy showed that at the time of the crash, Ms Hayes had significant amounts of methamphetamine and MDMA in her body. I am affirmatively satisfied that the fault for the collision was entirely attributable to Ms Hayes.

The evidence satisfies me that the other driver was in his correct lane and travelling below the posted speed limit.

Nothing about the condition of the road, the weather, the actions of other road users or the roadworthiness of either vehicle involved in the crash caused or contributed to Ms Hayes' death.

It seems likely that Ms Hayes was using her mobile phone in the immediate lead up to the occurrence of the crash.

Comments and Recommendations

The circumstances of Ms Hayes' death are not such as to require me to make any comments or recommendations pursuant to Section 28 of the *Coroners Act 1995*.

I express my particular thanks to First Class Constable Housego of Northern Crash Investigation Services for his investigation and report.

I convey my sincere condolences to the family and loved ones of Emma Frances Hayes.

Dated: 21 May 2021 at Hobart in the State of Tasmania.

Simon Cooper
Coroner