



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 Geraldine May Phillips

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

- a) The identity of the deceased is Geraldine May Phillips;
- b) Mrs Phillips died as a result of injuries sustained as driver in a two vehicle motor vehicle crash;
- c) The cause of Mrs Phillips' death was multiple blunt traumatic injuries of the head, neck, thorax, abdomen, pelvis, arms and legs; and
- d) Mrs Phillips died, aged 71 years, on 4 April 2022 at Westella Drive, Ulverstone, Tasmania.

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

- Police Report of Death for the Coroner;
- Affidavits establishing identity;
- Report – Dr Donald Ritchey, Forensic Pathologist;
- Report – Forensic Science Service Tasmania – Geraldine Phillips;
- Report – Forensic Science Service Tasmania – Donald Lindsay Smith;
- Ambulance Tasmania – Patient Care Record;
- Medical Records – Geraldine Phillips;
- Crash Investigation Services Report;
- Affidavit – Phillip John Evans, Transport Safety and Investigation Officer, sworn 24 April 2022;
- Affidavit – Ms Tanya Triffett, sworn 5 April 2022;
- Affidavit – Mr Darryl Balfour, sworn 15 April 2022;
- Statement – Donald Lindsay Smith, 6 April 2022;
- Affidavit – Senior Constable John Cunliffe, sworn 29 April 2022; and
- Affidavit – First Class Constable Dean Wotherspoon, sworn 31 May 2022 (and scene photographs).

Mrs Phillips died following a two vehicle head-on collision on Westella Drive, Ulverstone. Although conscious at the time of the arrival of first responders, despite the best efforts of those responders, and although Mrs Phillips was extracted from her vehicle whilst still barely alive, she died during resuscitation efforts in an ambulance at the scene.

The vehicle she was driving was a roadworthy Suzuki Baleno and was in the correct lane. It collided with a Toyota HiLux driven by Donald Lindsay Smith. The HiLux was in the wrong lane.

The HiLux was un-roadworthy because it had at least one defective tyre. However, I am satisfied that defect did not cause or contribute to the happening of the crash.

The evidence satisfies me that speed, alcohol and drugs were not factors in the happening of the crash.

Mrs Phillips was wearing a seatbelt.

The road surface was in good repair and the weather conditions fine at the time of the crash.

There is a possibility that Mr Smith was confused by signs at or near the place of the collision, perhaps considering that he was on a dual carriageway. He is reported to have said as much to a witness at the scene, although he did not say so as part of this investigation, refusing to make any statement to investigators about the circumstances of the crash. In any event, following the crash, the Central Coast Council undertook road signage improvements in the area.

Nonetheless, Mrs Phillips' death is entirely due to the fact that the vehicle driven by Donald Lindsay Smith was on the wrong side of the road.

Comments and Recommendations

The circumstances of Mrs Phillips' 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 Phillips.

Dated: 25 September 2023 at Hobart in the State of Tasmania.

Simon Cooper
Coroner