



MAGISTRATES COURT of TASMANIA

CORONIAL DIVISION



Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Stephen Raymond Carey, Coroner, having investigated the death of Christopher Peter Hoskinson and Elaine Phyllis Hoskinson

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

- a) The identity of the first deceased is Christopher Peter Hoskinson;
- b) The identity of the second deceased is Elaine Phyllis Hoskinson;
- c) Mr Hoskinson and Mrs Hoskinson died in the circumstances set out in this finding;
- d) Mr Hoskinson and Mrs Hoskinson died as a result of multiple blunt trauma injuries suffered due to a motor vehicle collision;
- e) Mr Hoskinson and Mrs Hoskinson died on 17 July 2014 on the Midlands Highway, Ross;
- f) Mr Hoskinson was born in Morphett Vale, South Australia on 29 August 1963 and was aged 50 years;
- g) Mrs Hoskinson was born in Bothwell, Tasmania on 19 July 1937 and was aged 76 years;
- h) Mr Hoskinson was a married man but separated and was employed on a casual basis as a truck driver at the date of his death;
- i) Mrs Hoskinson was a widow and was retired; and
- j) No other person contributed to the cause of death of Mr Hoskinson and Mrs Hoskinson.

Circumstances surrounding the deaths:

Mr Hoskinson was the son of Mrs Hoskinson. He lived at Unit 2, 9/11 Alanvale Road in Newnham and did so in order to assist in the daily care of his mother who lived in Unit 4 at that address. Although separated from his wife, Mrs Leanne Hoskinson, the pair remained on friendly terms and maintained regular contact.

On Tuesday 15 July 2014 Mr Hoskinson received a message from his wife to inform him that his stepsister, Lynette, was in a terminal condition in the Royal Hobart Hospital. His stepsister had been suffering from cancer for a period of time but at this stage the

expectation was that she would not live beyond Friday 18 July 2014. Upon receiving this news, Mr Hoskinson collected his mother Mrs Hoskinson, from the Launceston General Hospital, where she had been receiving treatment for a stomach condition. At 5.00pm that day he left for Hobart driving a green Ford Falcon sedan Registration number DC5484. Passengers in that car were his mother, his wife's godchild Jessica and her partner Tom. After arriving in Hobart they visited his sister in hospital and they spent some time with her. He telephoned his wife at approximately 10.00pm advising her of this and that he was staying at Mrs Hoskinson's sister's residence at Bridgewater. At approximately 8.00am on Thursday 17 July Mr Hoskinson rang his wife advising her that they were returning to spend some more time at the hospital and that they planned to leave Hobart at approximately midday, but that Jessica and Tom wouldn't be travelling back with them. At 1.06pm Mr Hoskinson rang his wife again informing her that they were heading towards Ross and that he planned to stop there for a coffee and something to eat. He advised his wife that he was fine but was feeling a bit tired. He arranged that he would come to see her once he had dropped his mother off at her unit upon his return to Newnham. At 1.14pm Ms Alison Smith who works as a coordinator for Alzheimer's Australia in Newnham phoned Mr Hoskinson's mobile phone. Mrs Hoskinson was a client of the Alzheimer's clinic and a support worker had gone to her unit in Newnham earlier that day to check on her. When she did not answer the door the support worker contacted Ms Smith who in turn contacted Mr Hoskinson to check on the location of his mother.

During this telephone call Mr Hoskinson informed Ms Smith that they had a family emergency and that they were now travelling back from Hobart. At this point Mr Hoskinson told Ms Smith that they had just travelled past Oatlands. He informed Ms Smith that his mother had a doctor's appointment at 2.00pm in Launceston on that day.

When Ms Smith concluded the call she called the support worker and informed her of the conversation she had had with Mr Hoskinson and the movements of Mrs Hoskinson. Given that they were not going to be back in Launceston in time for the doctor's appointment, Ms Smith called the doctor's surgery and rescheduled the appointment. Ms Smith then called Mr Hoskinson's mobile phone again at 1.30pm to let him know about the changed doctor's appointment in order that he did not need to hurry his return trip. Ms Smith recalls the phone ringing; after ringing for a period it then just cut out.

Immediately prior to this telephone call at 1.30pm Mr Hoskinson's vehicle was travelling in a northerly direction on the Midlands Highway towards Launceston on a straight section of roadway which was approximately 900 metres in length. The view on this straight was open, leading up to a sweeping right hand bend in the road. Witnesses observed that on reaching the bend the Ford Falcon has continued tracking in a straight line. Witnesses describe how the left hand side wheels of the Ford Falcon have crossed the audible continuous white edge line on the passenger side road verge. The left hand wheels have then travelled onto the grass at the edge of the highway. After the vehicle has tracked onto this grass verge, Mr Hoskinson has applied harsh steering input to the right in order to correct the path of travel back into the Launceston bound traffic lane. The steering input has caused loss of control. The Ford Falcon has gone into a side slip or "yaw" where the rear left (passenger) side tyre has started to track outside the front passenger tyre. During the side slip the Ford Falcon

has travelled in a forward trajectory and across the Launceston bound traffic lane in a sweeping arc. It has then crossed the double continuing white centre lines into the oncoming Hobart bound traffic lane. At the point of crossing over into the oncoming lane, the Ford Falcon's rotation has exceeded 90 degrees. At this time a Kenworth Prime Mover Registration number A22GT towing two trailers both fully laden with pine logs was travelling towards Hobart. The Kenworth was being driven by Mr Leonard Browning. The police investigation indicates that Mr Browning had perceived the Ford Falcon at a very early stage and has applied maximum braking input whilst steering his vehicle to the left in an attempt to avoid the out of control Ford Falcon. The front left wheels of the Prime Mover have locked and skidded on the road surface for 12.8 metres. The front of the Kenworth has been struck by the passenger side of the Ford Falcon which at the time was sliding sideways in the Hobart bound lane. There is evidence that the Ford Falcon has been braking at the point of impact. The Kenworth was over to the extreme left hand edge of the roadway at the time of impact. The point of "maximum engagement" has been concentrated on the audible continuous white edge line of the Hobart bound traffic lane. From examination of the Ford Falcon; impact has centred approximately on the "B" pillar of the vehicle. The Kenworth's driver side front wheel has impacted this area and has effectively cut into the cabin space where Mrs Hoskinson was sitting. The side impact has deformed the Ford Falcon's width from 1605mm to only 300mm at the "C" pillar and 410mm at the "B" pillar. Both the driver and passenger had been pressed into this space of impact and they have suffered horrific trauma and most certainly instantaneous death.

Witness statements together with calculations carried out by police investigators in accordance with accepted scientific formula indicate that immediately prior to the collision the Kenworth Prime Mover was being driven at less than the permitted 100kph limit and the Ford Falcon was being driven at between 100 and 110kph being within the permitted speed for that area of the roadway. The Kenworth Prime Mover and trailers were in roadworthy condition. Save for a minor defect with respect of the right hand rear tyre on the Ford Falcon, which displayed a non-compliant tread depth on the outside edge, the Ford Falcon was in a roadworthy condition. It is unlikely that the defect identified would have caused or contributed to the collision.

The police investigation concludes that it is more likely than not that the initial movement of the Ford Falcon off the roadway occurred at the time at which Mr Hoskinson's telephone was contacted by Ms Smith at 1.30pm. In the course of retrieving his phone or giving attention to activating the phone to receive the incoming call Mr Hoskinson has allowed his vehicle to stray off the formed roadway. When this occurred he has reacted suddenly to steer back onto the roadway, has overcompensated and in doing so has lost control of his vehicle which has then commenced to slide, moving into the south bound lane colliding with the Kenworth Prime Mover at high speed. There is nothing to indicate any blame whatsoever upon Mr Browning who was driving his vehicle in an appropriate manner and did everything he was able to do in order to attempt to avoid the collision.

Comments and Recommendations:

There is no clearer or starker illustration of the possible consequences of using a mobile phone whilst driving a motor vehicle. I am aware that there have been public awareness endeavours in the past but note that this practice continues. Mr Hoskinson had previous convictions for the offence of using a mobile device whilst driving and it was well known to family that he continued this practice. Validated research has shown that dialling, talking or texting on a hand held mobile phone whilst driving can:

- Affect judgement and concentration therefore leading to compromised decision making;
- Slow reaction time especially when in conversation;
- Slow reaction time to brake resulting in required shorter braking distances;
- Increase the likelihood of wandering out of applicable traffic lanes;
- Compromise the ability to maintain awareness of what is going on around you, thereby limiting an ability to monitor and negotiate traffic safely.

I recommend the Road Safety Advisory Council and Tasmania Police maintain their public awareness campaign as to the risks associated with mobile phone use, that ongoing attention be given to detecting those who infringe and that if necessary consideration be given to the level of penalty applicable to such offences.

Before I conclude I convey my sincere condolences to the family of Mr Hoskinson and Mrs Hoskinson.

Dated: 25 April 2016 at Hobart Coroners Court in the State of Tasmania.

Stephen Raymond Carey

CORONER