



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 Madison Ann Brown

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

- a) The identity of the deceased is Madison Ann Brown;
- b) Miss Brown died in the circumstances set out below;
- c) The cause of Miss Brown's death was multiple injuries from a motor vehicle collision; and
- d) Miss Brown died on 26 October 2016 near the Fossey River Bridge on the Murchison Highway, Tasmania.

In making the above findings I have had regard to the evidence gained in the comprehensive investigation into Miss Brown's death. The evidence comprises an opinion of the forensic pathologist who conducted the autopsy; relevant police and witness affidavits; medical records and reports; forensic and photographic evidence; and other expert investigative material.

Popular and much loved Miss Brown was killed instantly when the Nissan Pulsar she was driving north on the Murchison Highway crossed into the south bound lane and collided with a Toyota Land Cruiser driven by Mr Thomas Mahoney.

The evidence satisfies me that the crash was not due to mechanical defects, road conditions, weather, wildlife, speed, alcohol or drugs. It is clear both drivers were driving in a manner appropriate to the road and the conditions in the immediate lead up to the crash. Both vehicles were roadworthy and neither driver had been drinking or using drugs before the crash. I am also satisfied that Mr Mahoney, who was seriously injured in the crash, did everything he could to avoid the collision (which occurred in his lane) and was in no way to blame for its happening. I also note that the evidence is that Miss Brown was wearing her seatbelt at the time of the crash.

It seems that the most likely explanation for the happening of the crash was inattention on the part of Miss Brown, who may have been using her mobile telephone at the time, although it is impossible to be certain about this point. I also note that she had resigned her employment earlier the same day and was reportedly (and understandably) upset when she left Cradle Mountain to drive to her family home at Penguin.

The injuries Miss Brown sustained were massive and not survivable.

There is nothing to suggest that the crash was anything other than a tragic accident.

Comments and Recommendations

I extend my appreciation to investigating officer Senior Constable Sven Mason for his investigation and report.

The circumstances of Miss Brown'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 Miss Brown.

Dated 16 April 2018 at Hobart in Tasmania.

Simon Cooper

Coroner