



# MAGISTRATES COURT *of* TASMANIA

## CORONIAL DIVISION

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### **Record of Investigation into Death (Without Inquest)**

*Coroners Act 1995  
Coroners Rules 2006  
Rule 11*

I, Olivia McTaggart, Coroner, having investigated the death of Eileen Elizabeth Murfet and Lachlan James Stones

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

- a) The identity of the deceased is Eileen Elizabeth Murfet, date of birth 22 August 1953;
- b) Mrs Murfet died as a result of injuries sustained in a motor vehicle crash as driver;
- c) Mrs Murfet's cause of death was multiple blunt injuries; and
- d) Mrs Murfet died on 14 June 2022 at Latrobe, Tasmania.

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

- a) The identity of the deceased is Lachlan James Stones, date of birth 18 January 2007;
- b) Lachlan died as a result of injuries sustained in a motor vehicle crash as front seat passenger in a vehicle driven by his grandmother, Eileen Elizabeth Murfet;
- c) Lachlan's cause of death was multiple blunt injuries; and
- d) Lachlan died on 14 June 2022 at Latrobe, Tasmania.

In making the above findings, together with the findings below, I have had regard to the evidence gained in the comprehensive investigation into the deaths. The evidence includes:

- The Police Reports of Death for the Coroner in respect of each deceased;
- Affidavits confirming identity in respect of each deceased;
- Opinion of the forensic pathologist regarding cause of death for each deceased;
- Toxicology report from Forensic Science Service Tasmania for each deceased and the driver of the other vehicle;
- Medical reports regarding Mrs Murfet's vision;

- Ambulance Tasmania records of attendance;
- Vehicle inspection reports for both vehicles involved in the crash;
- Affidavit of Neville Mould, driver of the vehicle involved in the crash;
- Affidavit of Ross Murfet, husband of Mrs Murfet;
- Affidavit of Chrysanne Stones, mother of Lachlan and daughter of Mrs Murfet;
- Affidavits of two witnesses who were motorists at the crash scene;
- Affidavits of three attending and investigating Tasmania Police officers, together with photographs and 3D modelling; and
- Interview by police officers of Ethan and Connor Stones, back seat passengers at the time of the crash.

## **Background**

Mrs Murfet was 68 years of age and lived in East Devonport with her husband, Ross Murfet. During her life, she held various forms of employment, including managing businesses with her husband, and administration roles. She retired from work in 2018 and subsequently worked as a Red Cross volunteer.

Mr and Mrs Murfet have two adult daughters. One of their daughters is Chrysanne Stones who is married to, but separated from, Shane Stones. Mr and Mrs Stones have three sons - Lachlan Stones, aged 15 years (at the date of his death); and Ethan and Connor (twins aged 13 years at the date of the deaths).

Lachlan attended Latrobe High School, worked in a casual job and was an excellent football and basketball player. He was in good health.

## **Circumstances surrounding the deaths**

At about 6.00pm on 14 June 2022, Mrs Murfet travelled from Devonport to Latrobe to collect her three grandsons – Lachlan, Connor and Ethan- to take them back to Devonport for her daughter’s (Mrs Stones) birthday dinner at a restaurant. On the journey to Devonport on the Bass Highway, Lachlan was in the front passenger seat and Ethan and Connor were seated in the rear seats. All occupants of the vehicle were wearing their seat belts. Mrs Murfet’s vehicle was a 2008 Hyundai Getz in roadworthy condition. Mrs Murfet was an experienced driver and had a good driving record.

At 6.15pm Neville Mould was driving a 2006 Isuzu flat tray truck in a westerly direction on the Bass Highway in Latrobe. He was driving in the same direction and well in front of Mrs Murfet. The truck was owned by Mr Mould’s employer, Tasmanian Helicopters, which had a depot at 8998 Bass Highway. It was the intention of Mr Mould to make a right-hand turn

from the Bass Highway into the driveway of Tasmanian Helicopters, a turn he made several times every work day. As he approached the driveway of the business, he brought the truck to a complete stop in the single westbound lane, although as far to the centreline of that lane as was possible so that vehicles behind him could pass to the left. Over approximately 400 metres, Mr Mould slowed and activated his right-hand indicator before stopping adjacent to the driveway to give way to an oncoming vehicle in the eastbound lane. At the time he stopped, he noted that the traffic behind him was a considerable distance away. Mr Mould was an experienced driver, had a good driving record and the truck was in a roadworthy condition.

The truck had been stationary for about 20 seconds with its right-hand indicator activated, when the Hyundai vehicle driven by Mrs Murfet crashed into the tray of the truck. The front part of the vehicle containing Mrs Murfet and Lachlan became wedged under the rear of the tray. The crash investigation analysis and witness evidence allows me to conclude that Mrs Murfet did not apply the brakes at all before impact. I cannot determine her speed upon impact but it did not exceed the speed limit of 80 km/h.

At the scene of the crash, Connor and Ethan were assisted out of the rear of the vehicle and were uninjured. Tragically, Mrs Murfet and Lachlan were severely injured and died at the scene, despite resuscitation attempts by attending ambulance personnel.

Although it was dark at the time of the crash, weather and road conditions were good and there was a long straight leading to the crash site which provided visibility. Neither driver was affected by alcohol or drugs. All lights on the truck were operating correctly before the crash and Mr Mould was driving safely in all respects. I am satisfied that the impact was not deliberate on the part of Mrs Murfet, nor was it as a result of her suffering a medical episode.

I am not able to determine whether Mrs Murfet was driving with her headlights activated, or only the park lights. After the crash, the switch was activated only for the park lights, however the severity of the impact may have caused the switch to move into that position.

I am not able to conclusively determine why Mrs Murfet did not observe and respond to the stationary, indicating truck when it was visible for a lengthy distance in front of her. Although she had undergone recent cataract surgery, she was subsequently medically certified as being fit to drive. Further, she was wearing her glasses to assist her night driving. I discount vision issues as being a significant contributor to the crash.

## **Comments and Recommendations**

Following the crash, Tasmanian Helicopters implemented a policy that employees should not turn right from the Bass Highway into the driveway of its premises. Instead, employees are now required to continue west to the Port Sorrell Road overpass, cross over the highway, and then travel back along the eastbound lane of the Bass Highway to make a left turn into the driveway.

The crash investigator, Senior Constable Hayden Barnard stated in his report to me;

*“Given the number of driveways along this section of Bass Highway, I believe a review of the current street lighting should be undertaken with a view to improving visibility for road users at night. The sight of this crash gets no illumination at all and would benefit greatly from an increase in lighting.”*

The Department of State Growth may wish to assess the state of the lighting in the area of the crash to determine whether additional lighting is warranted. However, I do not consider it is appropriate in this case to make any recommendations.

I extend my appreciation to investigating officer, Senior Constable Barnard, for his investigation and report.

I convey my sincere condolences to the family and loved ones of Eileen Murfet and Lachlan Stones.

**Dated:** 31 July 2023 at Hobart in the State of Tasmania.

**Olivia McTaggart**

**Coroner**