



MAGISTRATES COURT of TASMANIA

CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Olivia McTaggart, Coroner, having investigated the death of Corrie Collean Stone,

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

- a) The identity of the deceased is Corrie Collean Stone;
- b) Ms Stone died as a result of injuries sustained in a motor vehicle crash;
- c) The cause of death was neck and chest injuries; and
- d) Ms Stone died on 29 December 2018 at Lebrina, Tasmania.

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

- The police Report of Death;
- An opinion of the Forensic Pathologist who conducted the autopsy;
- The results of toxicological analysis of blood samples;
- Ambulance records;
- Medical records for Ms Stone;
- A report from a Transport Inspector;
- A report from a Tasmania Police Crash Investigation Services officer;
- Police video interview with the driver of the other vehicle, Kim Fayers-Clarke;
- Affidavit of Mr Brett Street who found Ms Stone after the crash;
- Affidavit of Mr Mark Collins, who was following Ms Fayers-Clarke's vehicle prior to the crash;
- Affidavit from Mr Gregory Cassidy, passenger in the vehicle being driven by Ms Fayers-Clarke;
- Affidavit of Ms Stone's close friend and housemate, Mr Bryan Stacey;
- Affidavits of attending police officers including Forensic Services officers and Crash Investigation Services officers; and
- Magistrates Court records relating to the charges and sentencing of Kim Fayers-Clarke.

Ms Corrie Collean Stone was born in Mole Creek on 7 September 1949 and was aged 69 years at her death. She was divorced, had two children and was living with a close friend, Mr Bryan Stacey, in Lebrina at the time of her death.

The evidence in this comprehensive investigation allows me to make the following findings regarding the circumstances surrounding Ms Stone's death.

At 2.15pm on Saturday 29 December 2018, Ms Stone was driving her black Mercedes sedan to go shopping. She was travelling south on Golconda Road, a rural, bitumen road with a single lane either direction. A grey Mitsubishi Challenger station wagon travelling in the opposite direction crossed onto the wrong side of the roadway and collided head-on with Ms Stone's vehicle. Ms Stone died at the scene.

Immediately before the crash, Ms Stone was negotiating a right hand curve with an uphill gradient and was travelling at 68km/h. She was alone in her registered, roadworthy vehicle. She had a full current driver's licence and was medically fit. She had no alcohol or illicit drugs in her body and had a good driving record. She was wearing her seatbelt at the time.

The Mitsubishi was being driven by Kim Fayers-Clarke, aged 52 years. She was on her way to see her father who had been admitted to hospital. Immediately before the crash, Ms Fayers-Clarke was negotiating the same curve as Ms Stone but from the other direction. She therefore faced a left-hand curve with a downhill gradient. She was travelling at approximately 100km/h, being the speed limit for the road. She had a front seat passenger, Mr Gregory Cassidy. Ms Fayers-Clarke's vehicle was registered and roadworthy. She had a full current driver's licence, was medically fit, had no alcohol or illicit drugs in her body and had a good driving record. She was wearing her seatbelt.

At the time of the crash, the weather was fine. Ms Fayers-Clarke had stopped for food and coffee prior to the crash. On the approach to the crash area, Ms Fayers-Clarke drove past a 55km/h advisory sign. She was unfamiliar with the vehicle she was driving, having only driven it once before. Her speed of 100km/h was too fast for the conditions and the evidence indicates that she was not paying proper attention to her driving. As she exited the left hand curve, she braked harshly causing the ABS system to engage, with the vehicle skidding on the roadway, crossing onto the wrong side of the road and into the path of Ms Stone's vehicle. Ms Stone was assisted by persons who came on the scene, but, by the time paramedics arrived she had died from her injuries.

Ms Fayers-Clarke was charged with, pleaded guilty to, and subsequently convicted of causing Ms Stone's death by negligent driving. On 5 February 2020 a sentence was imposed of three months' imprisonment wholly suspended for two years on condition she not commit another offence punishable by imprisonment during that period. She was disqualified from driving for a period of two years from that date.

Comments and Recommendations

In this investigation, I received a report from Crash Investigation Services officer, First Class Constable Nigel Housego. In the report, he noted that Northern Crash Investigation Services officers have attended a disproportionate number of fatal and serious crashes on Lilydale Road and Golconda Road between Rocherlea and the intersection with Pipers Brook Road. He commented particularly upon the fact that unsatisfactory features of the corner in this case (outside number 606 Golconda Road) relating to elevation and friction indicate that there should be consideration given to a reduction of the speed limit to 80 km/h on this section of road, as well as an appropriate enforcement strategy.

After receiving the recommendation from First Class Constable Housego, the Launceston City Council applied for a speed reduction from 100 km/h to 80 km/h for this section of road. The application has recently been approved by the Department of State Growth, which, when implemented, represents an important safety measure in preventing further crashes. In these circumstances I do not intend to make any recommendations pursuant to Section 28 of the *Coroners Act 1995*.

This tragic case illustrates the importance of drivers obeying speed advisory signs, which are posted for sound driver safety reasons.

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

I convey my sincere condolences to the family and loved ones of Corrie Collean Stone.

Dated: 14 July 2020 at Hobart Coroners Court in the State of Tasmania.

Olivia McTaggart
Coroner