



OFFICE OF THE STATE CORONER

FINDINGS OF INQUEST

CITATION: **Inquest into the death of Laura Jayne Milner & Samantha Ann Yates**

TITLE OF COURT: Coroner's Court

JURISDICTION: Gympie

FILE NO(s): 2009/2304 & 2009/2305

DELIVERED ON: 10 June 2014

DELIVERED AT: Gympie

HEARING DATE(s): 25 January, 19 & 20 April 2011

FINDINGS OF: Maxine Baldwin, Coroner

CATCHWORDS: CORONERS: Inquest – Motor vehicle accident, B double heavy vehicle combination.

REPRESENTATION:

Counsel Assisting: Sgt G Gangemi, QPS Prosecutor

Dept of Transport and Main Roads: Ms K Philipson, i/b Crown Law

Laura Milner was the driver of a blue Daewoo Lanos hatchback travelling towards Tin Can Bay from Gympie in the vicinity of the Coondoo Bridge at Toolara. Samantha Yates was a passenger in the vehicle sitting on the right side of the vehicle in the passenger seat behind the driver.

It is a sealed bitumen road approximately six metres wide with a speed limit at the time of the accident being 100 kilometres per hour.

The road has a double centre line marking and it is also marked with a single white line known as the fog line on each side of the road.

From the evidence given it appeared that the road conditions were dry, the day was clear and visibility was also clear.

At about 1 o'clock on the 30 September 2009, a four wheel drive towing a caravan on the Tin Can Bay road travelling inbound towards Gympie was approaching the Coondoo Bridge. The evidence suggested that the four wheel drive and caravan were travelling at approximately 80 kilometres per hour. This vehicle was being followed by a white Toyota station wagon and behind it was a B double heavy vehicle combination loaded with logs driven by Paul O'Connor.

It appears that as this convoy of vehicles approached the bridge, the driver of the four wheel drive towing the caravan made a decision to pull off to the side of the road to enable the following traffic to pass. As he pulled off to the side of the road into the section of a T junction road, the driver of the Toyota put on his brakes to decelerate and the B double heavy vehicle has also attempted to brake heavily but it has collided with the white station wagon. The skid marks presented indicated that the white Toyota was decelerating but was not heavily under braking when the B double has rear-ended it. As a consequence of this, the white station wagon was pushed forward past the adjacent four wheel drive and caravan and ultimately it veered off to the left crashing into a tree.

At the point of impact the driver of the B double, Mr O'Connor was not wearing a seat belt and thus his collision with the white station wagon resulted in him being rocked and bounced around causing him to release the brakes. At the point of impact with the white car and the releasing of the brakes, the B double has then veered to the right and into the path of the blue Daewoo being driven by Laura Milner. The impact of the vehicle was most severe obviously on the right hand side of the vehicle.

Autopsy results

Laura Milner

The autopsy revealed external signs of injury including lacerations, abrasions and bruises and obvious fractures of limbs together with extensive facial and head injuries. This, coupled with CT scanning, showed there were extensive basal skull fractures associated with laceration of the brain stem, cerebellum and brain. These injuries would have been immediately fatal and Laura was pronounced deceased at the scene.

Samantha Yates

The impact of the B double on the right hand side of the vehicle has caused extensive injuries to her. The autopsy revealed external signs of injury including lacerations, abrasions and bruises and in particular severe fractures to the facial bones and skull. The CT scan revealed the base of skull hinge type fracture and minor associated injuries to the brain consistent with the application of severe force.

There was a large amount of blood also noted within the left chest cavity on the CT scan and on the autopsy examination and appeared to be a result of a haemorrhage from a transected thoracic aorta.

According to the pathology this was also an injury commonly seen in motor vehicle accidents.

There was also a minor laceration to the heart and if untreated the pathologist was of the opinion it would have also contributed to death by blood loss.

However the nature of the injuries to the skull and the transected thoracic nerve were such that the pathologist indicated they would have been immediately fatal.

Findings required by s. 45

I am required to find, as far as possible, who the deceased persons were, how they died, when and where they died, and what caused their death. As a result of considering all of the material contained in the exhibits and the evidence given by the witnesses I am able to make the following findings:-

Identity of the deceased	The deceased persons were Laura Milner and Samantha Yates.
How they died	Ms Milner and Ms Yates both died as a result of injuries received in a motor vehicle collision between a B double and their vehicle.
Place of death	Both women died on Tin Can Bay Road, Toolara.
Date of death	30 September 2009.
Cause of death	Multiple injuries due to or as a consequence of a motor vehicle collision.

Subsequently an inquest commenced however before conclusion of that inquest the driver of the B double, Paul Martin O'Connor was charged with dangerous operation of a vehicle causing death. Mr O'Connor subsequently pleaded guilty and was sentenced to imprisonment for a period of two years wholly suspended for a period of two years. Furthermore, Mr O'Connor was disqualified from holding or obtaining a driver's licence for a period of 18 months.

Maxine Baldwin
Coroner
Gympie
10 June 2014