



MAGISTRATES COURT *of* TASMANIA

CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Robert Webster, Coroner, having investigated the death of Yuanping Wang

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

- a) The identity of the deceased is Yuanping Wang;
- b) Mrs Wang died as a result of injuries she sustained when, as a pedestrian, she was hit by a motor vehicle;
- c) Mrs Wang's cause of death was multiple spinal injuries sustained when she was hit by a motor vehicle;
- d) Mrs Wang died on 6 May 2020 at Montrose, Tasmania.

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

- The Police Report of Death for the Coroner;
- Affidavits confirming identity;
- Affidavit confirming life to be extinct;
- Affidavit of the forensic pathologist Dr Andrew Reid;
- Affidavit of the forensic scientist Mr Neil McLachlan-Troup of Forensic Science Service Tasmania;
- Electronic patient care record obtained from Ambulance Tasmania (AT);
- Affidavit of Jason Hardy;
- Affidavit of Honglin Wang;
- Statutory declaration of Neville Hill;
- Affidavit of Epeli Lalagavesi;
- Affidavit of Susan Kirkby;
- Affidavit of Beau Freeman;
- Affidavit of Leslie Chambers;

- Statutory declaration of Jamie Henricks;
- Statutory declaration of Emmanuel Bosco;
- Statutory declaration of Benjamin Matthew;
- Affidavit of First-Class Constable Claire Honey;
- Affidavit of First-Class Constable Monique Featherstone;
- Affidavit of Constable Andrew Belbin;
- Affidavit of First-Class Constable Stephen Evans;
- Affidavit of Constable Ian Bellette;
- Affidavit of Constable Carly Medhurst;
- Affidavit of Senior Constable Bridget Verney;
- Affidavit of Kelly Cordwell (rank not stated);
- Affidavit of Senior Constable Adam Hall together with his collision analysis report;
- Affidavit of First-Class Constable Monique Featherstone and transcript of conversation between First-Class Constable Monica Featherstone and Trent Henricks;
- Transcripts of 000 calls;
- Notes of Senior Constable Hall, scene survey, calculations, photographs, body worn camera footage and forensic evidence; and
- Police brief with respect to the charges brought against Trent Henricks and comments on passing sentence of Acting Justice Porter.

Introduction

This investigation involves a motor vehicle crash which occurred at approximately 4:45pm on 6 May 2020 between a Holden Vectra Hatch registration number EO 5805 (the vehicle), driven by Trent Henricks, and Mrs Wang on Montrose Road in the vicinity of house number 104.

At the time of the crash, Mrs Wang was walking with her husband, Honglin Wang, in an easterly direction along Montrose Road. Mr Henricks was driving east along that same road when he failed to negotiate a right-hand bend, and as a result the vehicle began to sideslip and rotate in a clockwise direction before moving in the direction of Mrs Wang who was on the southern side of the roadway. As the vehicle rotated, Mrs Wang was struck in the area of the rear passenger door.

The speed limit on Montrose Road is 50 km/h. At the time of the crash, the weather was fine, the road was dry and it was daylight with good visibility. The road was made of bitumen and was in reasonable condition at the time of Senior Constable Hall's inspection.

Background

Mrs Wang was 62 years of age (date of birth 31 March 1958) and she was a tourist in Tasmania with her husband at the time of the crash. Mr and Mrs Wang resided in Zhuhai, Guangdong in China.

Mrs Wang was born in Shaanxi Province in China. She has three siblings; an older brother, and a younger brother and younger sister. When Mrs Wang was born, both her parents were working in a bank. Her father was a branch manager and her mother was an account manager.

Mrs Wang attended Pingli Chengguan Primary School from 1964 until 1970 and during middle and high school she attended Pingli school from 1970 until 1976. After successfully completing school, she studied to be a farmer for two years until 1978, but she was then recruited by a local theatre troupe where she worked as an actress from 1979 until 1994. Mrs Wang then attended university at the Shanghai Theatre Academy where she studied theatre as part of her employment and after graduating in 1995, she returned to the troupe where she worked as the troupe manager until 1997. From 1997 until 2004, Mrs Wang worked at Zhuhai Superstar Experimental School as the enrolment manager. Between 2004 and 2012 she worked at Peking University Experimental School as the general manager. From 2012 until 2020, she worked at Fuyan British American School as the guidance counsellor in Shenzhen. Mr and Mrs Wang have one child; a daughter born in 1984.

Mr Wang arrived in Sydney on 9 January 2020 with his mother and sister. On 14 January 2020, they travelled to Tasmania where they stayed with his daughter in Montrose. His daughter had been in Tasmania since January 2019 and had been studying in Hobart. Mrs Wang travelled from China and arrived in Tasmania on 17 January 2020. She arrived later because she was required to remain at work until that time.

The family were due to return to China on 13 February 2020 but due to travel restrictions surrounding the COVID-19 pandemic they had several flights cancelled and rescheduled. Ultimately, they were unable to leave Tasmania and as a result of these delays, their respective visas were extended. Due to the restrictions around the virus, they remained at their daughter's home.

On most days, Mr and Mrs Wang would go for a walk from their daughter's home, down Montrose Road to Pitcairn Street and return which is about 2.5 km in total. For about the first 215 m of this walk there is a designated concrete part footpath on the side of the road for pedestrians, however from the conclusion of this footpath until the area of the crash, which is about 630 m, there is no designated footpath. A concrete footpath with concrete

curb and guttering commences outside 106 Montrose Road; that is just after the point where this crash occurred.

While walking east on Montrose Road, where there was no footpath, Mr and Mrs Wang would generally walk on the right-hand side of the road as they thought this would be safer as they could see approaching traffic. Where the footpath recommenced, they would cross to the left-hand side of the road and use the footpath. On the day of the crash, they left their daughter's home for their walk at approximately 4:10pm, which was around the same time they would normally leave for their daily walk.

Circumstances leading to death

Mr Wang says when they walked on Montrose Road there was never a lot of traffic but the vehicles they did see drove slowly. On the day of the crash, he had seen a couple of vehicles on the road. As they reached the area on the roadway where the footpath starts, he says he was walking a little bit ahead of his wife which he estimates to be 7 to 8 m ahead of her. They were both on the right hand side of the road. He decided to cross the road to the footpath at the point on the road where they would cross every other day on their walk.

Mr Wang crossed the road and walked onto the footpath, but Mrs Wang stayed on the right-hand side as she was walking slowly and had not reached the point on the roadway where they ordinarily crossed the road. As he got to the footpath Mr Wang heard a very sharp sound like a racing car. It did not sound like a normal car travelling on this road. It was very loud and he believed it was travelling fast. He turned around and looked back and saw the vehicle coming around the corner. It was travelling sideways and looked to be out of control. He could not see the front of the car only its side. He said the crash occurred very fast and he did not have time to react. He had not seen the vehicle previously.

When the vehicle stopped, he called his wife's name as she was no longer standing where she had been standing only seconds before. He ran to the side of the vehicle and observed her lying on the ground. She was unresponsive. He believed she had already passed away. At that point, he says he lost control of all his emotions and he called for help and signalled to people as he could not speak English.

Investigation

At 4:45pm on 6 May 2020, First-Class Constables Honey and Featherstone were tasked to attend Montrose Road, near number 104, in relation to this crash. They were advised by police radio a female had been hit by a vehicle and was believed to be deceased. They arrived shortly thereafter. The road was closed in order to preserve evidence soon after

their arrival. AT and the Tasmania Fire Service also attended. The attending police secured the scene and redirected traffic until the arrival of crash investigation and forensic personnel. Trent Henricks identified himself to police as being the driver the vehicle. He was conveyed to the Royal Hobart Hospital where he provided a blood sample for analysis pursuant to the *Road Safety (Alcohol and Drugs) Act 1970*.

AT received the call to attend this crash at 4:43pm. Ambulance personnel arrived by 4:55pm and were with Mrs Wang by 4:57pm. On inspection by paramedics, Mrs Wang presented with a catastrophic open head injury. On examination there were no signs of life. Accordingly, no CPR or medical intervention was provided.

Senior Constables Hall and Cordwell from crash investigation services of Tasmania Police each arrived at approximately 4:59pm and 5:30pm respectively. The scene was marked and measured, and a scene survey was prepared. Measurements of relevant incident marks were recorded. Constable Bellette from forensic services, of Tasmania Police, photographed the scene at Senior Constable Hall's direction. Senior Constable Hall conducted a preliminary inspection of the vehicle. It was seized and conveyed to the police garage where it would later be inspected.

As part of their investigation police attempted to speak to Mr Henricks, however, he refused to make a statement or take part in a video record of interview. A statement was however taken from his brother, Jamie, who was a passenger in the vehicle at the time of the crash. Mr Jamie Henricks advised police on the day of the crash he was at his home in Montrose Road at about 4:20pm when he observed his brother, Trent, on the front lawn cleaning his car. He had only purchased the vehicle a couple weeks prior to the collision. Trent asked Jamie if he wanted to go for a drive and the pair left the property at around 4:40pm. Trent was the driver and Jamie was the front seat passenger. They were travelling in no particular direction and Trent was taking the vehicle out to dry it after it had been washed. He also wanted to see how the engine ran as he had been experiencing issues with the engine. They had only travelled a short distance prior to the collision. He describes Trent turning out of their driveway on to Montrose Road and travelling in an easterly direction. He says his brother drove approximately 140 m along the road until they got to a sharp bend which he thinks is outside 122 Montrose Road. He says he does not know the speed they were travelling at but he said it did not feel fast. He describes Trent losing control on the bend and the crash occurring. He rang 000 immediately at 4:42pm.

Police obtained statements from a number of people who lived in the area. A couple of those people provided to police CCTV footage of the crash from their own cameras. Mr Hill says he saw two pedestrians on the southern side of the road and heard the loud revving

sound of a car engine coming down the road. He then observed the vehicle and estimates its speed at between 80 and 100 km/h. He did not hear it slow down but then heard the vehicle's tyres screeching and then an impact. Mr Lalagavesi says he heard the sound of a revving vehicle and observed the vehicle as it travelled down the road. He knew the speed limit was 50 km/h but estimates the vehicle was travelling at twice that speed. It was travelling so fast he could not see the occupants in the vehicle. Mr Freeman was travelling west on Montrose Road at about 4:30pm. He observed two pedestrians walking east on the road. He had seen them previously. He drives slowly because he knows pedestrians walk on that part of the roadway where there is no footpath and there is often wildlife on the road. Mr Chambers was travelling east on Montrose Road at approximately 4:35pm when he saw two pedestrians walking on the right-hand side of the road. They were walking in an area where there was no footpath on either side of the road. They stood out quite clearly.

Senior Constable Hall determined the road has a width that varies from 6.9 m to 7.5 m. There is no white line separating east and westbound lanes and there are no fog lines on either side of the road. Approximately 340 m west of the intersection with Pitcairn Street on Montrose Road, he observed the vehicle which had come to rest on the southern side of the road facing in a general northerly direction. The rear of the vehicle was situated on an unused dirt driveway with the front passenger side of the vehicle protruding 0.9 m onto the road. Mrs Wang was observed 1.7 m east of the vehicle. She was lying on her back with her head facing towards the vehicle and her feet pointing east. Her head was 2.8 m south of the road edge with her feet 4.3 m south of the road edge. Leading to the vehicle's final resting position were several scuff marks on the road surface. They were located in the southern roadside drain and on the dirt driveway where the vehicle came to rest.

The first tyre scuff mark was 54.6 m west of the vehicle. This tyre scuff mark commenced on the road surface 3.7 m south of the northern edge of the road and 3.6 m north of the southern edge. Senior Constable Hall attributed this marked to the front passenger tyre as it rotated and sideslipped on the road surface. This marked continued 36.4 m on the road surface to where it left the road on the southern edge and continued a further 6.1 m in the grassed roadside drain concluding 0.9 m south of the road edge. The mark concluded 7.2 m west of a concrete culvert.

The second scuff mark commenced on the road surface 16.1 m east of the first. It commenced 3.6 m south of the northern road edge and 3.9 m north of the southern road edge. Senior Constable Hall attributed this marked to the rear passage tyres rotating and sideslipping on the road surface. This marked continued 32.1 m on the road surface to where it left the road on the southern edge. The mark continued a further 1.5 m in the gravel edge at which point the vehicle struck a concrete culvert.

As the vehicle travelled east, it continued to rotate in a clockwise direction to the point where it was broadside and 90° to the direction of travel. As the vehicle left the road, it impacted with a concrete culvert and rotated 180°. It came to rest facing a general northerly direction 4.9 m east of the concrete culvert.

From what Senior Constable Hall observed, he identified the scuff marks as yaw marks. He explained yaw relates to the sideways movement of the vehicle in another direction than which it is headed; the sideways motion is produced when the inertia motion exceeds the traction force. Yaw is often the result of either overreaction or exceeding the critical curve speed, and as a result the rear end of the vehicle breaks loose and rotates as it tries to pass the front end. One of the characteristics observed, which suggested to him the marks were yaw marks, was slight striations within the scuff marks which confirmed the vehicle's wheels were rotating and sideslipping (yaw), and the wheels were not locked.

Senior Constable Hall observed no evidence to suggest where the exact point of impact on the road between the vehicle and Mrs Wang was. There was damage on the rear passenger side of the vehicle in the area of the door handle on the rear door. There was further damage on the top of the door and edge of the roof in the area of the C pillar. The glass in the rear passenger side door was also smashed. Given Mrs Wang was walking on the southern side of the road prior to impact, Senior Constable Hall believes impact occurred somewhere in the vicinity of 14 m west of her final resting position.

Two other faint tyre scuff marks were identified at the scene. One, 11.8 m in length, was attributed to the sliding rear right tyre and a short intermittent scuff mark on the southern road edge was attributed to the sliding front right tyre. At the point where these marks were identified, the vehicle was close to being broadside on the road. A shoe was also identified in the concrete culvert 1.8 m from the southern road edge. This shoe belonged to Mrs Wang.

From the evidence obtained at the scene Senior Constable Hall was able to conduct two speed analyses. The first was to ascertain the critical curve speed of the eastbound vehicle and the second was to calculate the speed of the vehicle at the point at which it lost control. Critical curve speed is the maximum notional speed the eastbound vehicle, under normal road conditions, could have negotiated the curve and travel wholly within its lane without the centrifugal force on the vehicle exceeding the frictional force generated by the tyres causing the vehicle to sideslip and yaw. His analysis concluded that an eastbound vehicle travelling at a speed of less than 64 km/h should be able to safely negotiate the right-hand curve while staying wholly within its lane without the vehicle side slipping or going into yaw. That speed is 14 km above the speed limit for the road. Senior Constable Hall determined

the speed of the vehicle at the time it began to sideslip was 77 km/h, which is 27 km/h above the speed limit and 13 km/h above the critical curve speed.

Mr Hardy is a transport inspector employed by the Department of State Growth and he is a qualified diesel fitter with 35 years' experience in the motor trade. He has been employed as a transport inspector for 14 years and during that time he has inspected numerous vehicles involved in both serious and fatal crashes. He inspected the vehicle on 8 May 2020. Other than both front park lamp assemblies being nonoperational, the vehicle presented in a well-maintained, defect free condition prior to the crash. He is of the opinion the mechanical state of the vehicle did not contribute to the crash. I accept his opinion.

On 7 May 2020, the forensic pathologist Dr Andrew Reid conducted a post-mortem examination. As a result of that examination and after considering the results of toxicology, microbiology and radiology, he concluded Mrs Wang died of multiple injuries caused by this crash. His examination revealed multiple injuries corresponding to those seen on a post-mortem CT scan, and in particular catastrophic cervical and thoracic spine injuries with transection of the mid thoracic spinal cord. In addition, Mrs Wang sustained a traumatic subarachnoid haemorrhage and multiple rib fractures together with an intertrochanteric fracture of the left neck of femur and a non-displaced fracture of the anterior column of the right acetabulum. I accept the opinion of Dr Reid.

Toxicology screening of Mrs Wang was negative for alcohol and illicit drugs. No alcohol or drugs were detected in the blood sample taken from Mr Henricks.

Motor registry records confirm Mr Henricks was licensed to drive the vehicle on the day of the crash and its registration was current.

Mr Henricks pleaded not guilty to the charge of causing death by dangerous driving contrary to section 167A of the Criminal Code in the Supreme Court. By a unanimous verdict of the jury, he was found guilty of that charge. On 27 September 2023 Mr Henricks was convicted of the charge and sentenced by Acting Justice Porter to a period of two years and three months imprisonment which commenced on 18 September 2023. He was not eligible to be released on parole until he had served half of that sentence. He was disqualified from driving for a period of 18 months which was to commence on his release from prison.

Comments and Recommendations

I am satisfied this crash occurred and result of Mr Henricks driving at excessive speed. Had he been driving at or below the speed limit I am satisfied he would have had sufficient time to perceive and react prior to colliding with Mrs Wang. The vehicle began to yaw as a result

of excessive speed and that speed exceeding the critical curve speed, rather than Mr Henricks reacting to a hazard and applying steering input. As a result of that speed Mr Henricks lost control of the vehicle and sadly collided with Mrs Wang who died instantly. There is no evidence to suggest Mr Henricks applied emergency braking prior to the crash. Had he been travelling at or below the speed limit he would not have lost control on the right-hand bend and the crash would not have occurred.

I extend my appreciation to the investigating officer, Senior Constable Adam Hall for his thorough investigation and report.

The circumstances of Ms Wang'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 Ms Wang.

Dated: 31 October 2024 at Hobart, in the State of Tasmania

Magistrate Robert Webster
Coroner