

FINDING INTO DEATH WITHOUT INQUEST

Form 38 Rule 60(2)

Section 67 of the Coroners Act 2008

I, K.M.W.PARKINSON, Coroner having investigated the death of RIE VAN RIEL

without holding an inquest:

find that the identity of the deceased was RIE VAN RIEL

born on 12 February 1923

and that the death occurred on 3 May 2012

at Alfred Hospital, Prahran

from:

1a. MULTIPLE INJURIES; PEDESTRIAN STRUCK BY A CAR

Pursuant to section 67(2) of the *Coroners Act 2008*, I make findings with respect to the following circumstances:

1. Ms Rie van Riel was born on 12 February 1923 and was 89 years old at the time of her death. Ms van Riel lived in Brighton and has been described by her daughter, Ms Yoka Mitchell as an active, hard-working and inspiring individual.
2. A brief was provided by Victoria Police to the Coroner, including statements obtained from family, witnesses, treating clinicians and investigating officers. I have drawn on all of this material as to the factual matters in this finding.
3. Ms van Riel had been an active member of the Probus Club since the mid to late 1980's, sitting on the Committee and assuming the role of Welfare Officer. She was deeply affected by the death of her husband in 1987 and by the death of her grandson in 2011. Following the death of her husband, she often attended the 'Sandy Beach Centre' in Sandringham to play

Bridge. In the 2-3 weeks leading to Ms van Riel's death she is reported by her daughter to have been well and optimistic about her life.

CIRCUMSTANCES

4. On Thursday 3 May 2012, Ms van Riel drove herself to the B11 foreshore car park, situated on the western side of Beach Road, opposite Sims Street in Sandringham. Ms van Riel was reported to have parked her vehicle, registration NWA216, in the southern most car park on the eastern side of the car park. It is unclear whether Ms van Riel walked through the B11 foreshore car park or along the shared pedestrian and cyclist footpath that runs parallel with Beach Road, upon exiting her vehicle.
5. Approximately 63 metres north of Ms van Riel's car spot was the B11 foreshore car park entry lane, which is separated by a tree-lined median strip and the car park entry lane. Ms van Riel is believed to have attempted to cross Beach Road from the northern side of the B11 foreshore car park entry lane, crossing Beach Road from the western side to the eastern side at approximately 12.52 p.m.
6. Ms van Riel is reported to have stepped out on to the first northbound lane and proceeded to walk towards the broken dividing line between the first and second northbound lanes. As Ms van Riel walked towards the broken dividing line between the northbound lanes, a Toyota Camry sedan, registration PTJ020, driven by Ms Pauline Varley, was travelling north on Beach Road in the second northbound lane.
7. It is reported that Ms Varley saw Ms van Riel and applied her brakes, causing her car to skid and slight to the right. The driver behind Ms Varley, Ms Anne Birchall, witnessed Ms van Riel stepping onto the road approximately 15 metres in front of Ms Varley's vehicle and estimates that Ms van Riel impacted the front left hand corner of Ms Varley's vehicle approximately 5-6 seconds after Ms Birchall first saw Ms van Riel.
8. It is believed that Ms Varley saw Ms van Riel as she exited the car park on to the northbound lanes, however due to wet roads, she was unable to stop her vehicle prior to impacting with Ms van Riel.

9. After the impact with Ms Varley's vehicle, Ms van Riel was trapped underneath the car until the arrival of emergency services. During this time she was conscious and breathing and was responsive to witnesses who had gathered around to assist her.
10. Police arrived at approximately 12.57 p.m. and made arrangements for the fire brigade, ambulance paramedics and further police to attend. Shortly after, rescue services arrived and secured Ms Varley's vehicle, enabling the ambulance paramedics to extricate and treat Ms van Riel.
11. At approximately 1.43 p.m., Ms van Riel was transported to the Alfred Hospital where she arrived at 1.57 p.m. At approximately 2.52 p.m., Ms van Riel was unable to be revived following attempts to resuscitate her.

COLLISION ANALYSIS

12. At the time of the collision, Beach Road was wet and the weather was overcast and rainy, with visibility being average to good.
13. Ms Birchall and Ms Varley have stated that they were driving under the 60 km/hour speed limit as they were being cautious in the bad weather. There is no evidence that the driver was exceeding the speed limit.
14. Ms Varley braked heavily and the vehicle speed is estimated by police to have been approximately 10 km/hour at impact.

CAUSE OF DEATH

15. Dr Paul Bedford, Pathologist with the Victorian Institute of Forensic Medicine, undertook an inspection and provided a report to the Coroner. Post mortem CT scan confirmed extensive pelvic fractures, fractured right humerus, left forearm fractures, multiple rib fractures and no evidence of an intracerebral haemorrhage or old fractures to the lower leg bones. Dr Bedford reported that the medical deposition notes from the Alfred Hospital noted that resuscitation of Ms van Riel had been undertaken however she had most likely died of hypovolemic changes relating to her pelvic fractures.
16. Dr Bedford reported the medical cause of death as Multiple Injuries Pedestrian Struck by a Car. Toxicological analysis of post mortem samples was negative for ethanol. The analysis

detected morphine (0.1 mg/L), the anti-depressant, venlafaxine (0.6 mg/L) and metoclopramide (0.3 mg/L), which is used to treat nausea and vomiting. Ms van Riel had been prescribed anti-depressants as treatment for the depression and anxiety she suffered following the death of her grandson.

17. I am satisfied having considered all of the available evidence that there were no suspicious circumstances surrounding Ms van Riel's death and that no further investigation is required.
18. I find that Ms van Riel died as a result of injuries sustained after being struck by a motor vehicle as a pedestrian. At the time of the collision, visibility was poor and Ms van Riel was not crossing the road at a designated pedestrian location.
19. I find that Ms Rie van Riel died on 3 May 2012 and that the cause of her death was multiple injuries sustained in a motor vehicle collision as a pedestrian.

COMMENTS

Pursuant to section 67(3) of the *Coroners Act 2008*, I make the following comments connected with the death:

1. The police investigator has reported that since the collision a fluorescent yellow diamond-shaped warning sign has been installed approximately 100 meters south of the collision location with a fluorescent yellow rectangle below the diamond with the word 'AGED'.
2. I have considered the evidence before me which suggests that many pedestrians use this location to cross Beach Road, upon exiting the B11 foreshore car park in order to access Sandy Beach Centre. The police investigator reports that Beach Road is a very heavily used thoroughfare with local residents, cyclists and other members of the public often frequenting the area to access the local beaches.
3. The location of the existing pedestrian lights some 118 metres north of the Community Centre does not adequately substitute for a designated pedestrian crossing at such a heavily used community facility. I set out my recommendations below.

RECOMMENDATIONS

Pursuant to section 72(2) of the *Coroners Act* 2008, I make the following recommendations connected with the death:

1. That VicRoads consider the installation of a designated pedestrian crossing allowing patrons of Sandy Beach Centre to safely cross Beach Road from the B11 foreshore car park, opposite the Centre.

I direct that a copy of this finding be provided to:

The Family of Ms Rie van Riel;

The Interested Parties;

The Investigating Member, Victoria Police; and

The Proper Officer, VicRoads.

Signature:



K.M.W. PARKINSON
CORONER
30 August 2013

