

**FINDING INTO DEATH WITHOUT INQUEST**

*Form 38 Rule 60(2)*  
*Section 67 of the Coroners Act 2008*

I, PARESA ANTONIADIS SPANOS, Coroner, having investigated the death of YAN ZHU LIN without holding an inquest:

find that the identity of the deceased was YAN ZHU LIN

born on 22 August 1923

and that the death occurred on 30 December 2009

at the intersection of Barkly Street and Geelong Road, Footscray, Victoria 3011

from:

- 1a. MULTIPLE INJURIES SUSTAINED IN MOTOR VEHICLE COLLISION  
(PEDESTRIAN)

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

1. Ms Lin was an 88 year old lady who resided with her family in Barkly Street, Footscray. Ms Lin had a past medical history which included hypertension, arthritis in both hands, gout and a left total hip replacement. Regardless of her age and medical conditions, Ms Lin was reasonably steady on her feet and reasonably mobile.
2. Ms Lin sustained fatal injuries and died as a result of a motor vehicle collision at the intersection of Barkly Street and Geelong Road, Footscray, on 30 December 2009. Her death was investigated by Senior Constable Nicole Cook from the Maribyrnong Traffic Management Unit of Victoria Police who compiled the coronial brief on which this finding is based.
3. The investigation established that Ms Lin left home on foot, apparently heading to the shops further along Barkly Street. This necessitated her crossing the busy intersection of Barkly Street and Geelong Road, Footscray. Shortly before 8.00am, Ms Lin was crossing from the south-west corner of the intersection towards the centre median strip, when the traffic control signals changed to green for traffic travelling towards the city, with a green arrow displayed for inbound traffic turning right into Barkly Street. A truck which had been stationary in the far right hand/right turn lane, commenced a

right turn into Barkly Street. As he moved off the truck driver 'felt a bump on the passenger side' of his vehicle. He continued on so as not to block the intersection, and then got out to investigate.

4. A number of witnesses provided statements which support a finding that the truck driver was facing a green arrow when he commenced his right turn. It is possible, but not entirely clear, that Ms Lin commenced to cross the intersection when the pedestrian lights were green. However, it is clear that she had not managed to reach the centre median and was in the vicinity of the front left corner of the truck as it commenced its turn. Ms Lin was dragged a short distance. Bystanders came to her assistance until ambulance paramedics arrived. They found her profoundly unconscious, with obvious traumatic injuries, notably a fractured right leg and suspected closed head injury. Ms Lin died at the scene despite the efforts of two paramedic units which attended within a short time of the collision.

5. No autopsy was conducted as Ms Lin's family objected to autopsy and Senior Forensic Pathologist Dr Noel Woodford, from the Victorian Institute of Forensic Medicine (VIFM), conducted a preliminary examination in the mortuary and advised that a reasonable medical cause of death was available without the need for autopsy. Apart from some natural disease processes, Dr Woodford identified multiple fractures (pelvis, left ilium, right femur, left scapula, ribs bilaterally) and some internal injuries (haemopericardium, subcutaneous emphysema, pneumomediastinum).

6. Police arrived at about 8.00am to commence their investigation of the death. They were unable to ascertain the precise location of the collision as Ms Lin had been moved to the rear of the ambulance and the truck was parked in a nearby bus stop. Despite these limitations, the following facts emerge and have safety ramifications for this particular intersection -

- 5.1 Ms Lin was of small stature being only some 1.5m tall. The distance from the ground to the base of the windscreen of the truck is 1.75m and to the base of the passenger side window is 1.8m.
- 5.2 Moreover, the pedestrian crossing is angled so that Ms Lin would have been approaching the truck from behind the driver's line of sight. Put another way, the truck driver would need to be looking over and/or behind his left shoulder (and down) to see Ms Lin.
- 5.3 Witness accounts suggest Ms Lin was walking cautiously or slowly. The pedestrian crossing (with its angled alignment) was 23m to the centre median. The green pedestrian signal operated for 23 seconds followed by a flashing red signal for 15 seconds, allowing a maximum of 35 seconds to cross, if a pedestrian commenced to cross at the beginning of the cycle.
- 5.4 There was no evidence that any other aspects of road infrastructure, other vehicles or road users, or adverse climatic conditions caused or contributed to the collision.

6. In response to a request for information about the intersection, VicRoads advised as follows -
- 6.1 In the five year period ending 30 June 2010, there were seven casualty crashes at the intersection - one "near side", four "cross traffic" and two "rear end" type collisions. Based on these statistics alone there did not appear to be a trend involving pedestrians.
- 6.2 There was funding allocated in the 2005-2006 financial year to upgrade the intersection in a number of regards, including re-alignment of the pedestrian crossing in the north-west corner, installation of pedestrian fencing and a zebra crossing with appropriate signage in the north-east and south-west corners.
- 6.3 The stop line facing eastbound (inbound) traffic in Geelong Road will be reviewed with the possibility of being set back 1-1.5m to improve truck drivers' view of pedestrians crossing.
7. I find that Ms Lin died as a result of multiple injuries sustained as a pedestrian in a motor vehicle collision.

#### **RECOMMENDATIONS:**

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

1. It is clear that the intersection of Barkly Street and Geelong Road, Footscray, is a busy intersection and that Geelong Road particularly, carries a significant amount of heavy vehicle traffic. It is also clear that improvements already made by VicRoads at the intersection were mindful of the needs of pedestrians and have addressed pedestrian safety to some extent.
2. My recommendation is that VicRoads further improve the intersection by improving the visibility of pedestrians crossing Geelong Road from the south-west corner of the intersection to the south-east corner to the drivers of heavy vehicles in particular. Whether this is to be achieved by moving the stop line further to the south-west as suggested in 6.3 above, or by allowing a longer time for pedestrians to cross, or otherwise is a matter for the expertise of VicRoads and its staff.

Pursuant to rule 64(3) of the Coroners Court Rules 2009, I order that the following be published on the internet:

This finding in its entirety.

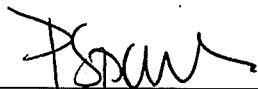
I direct that a copy of this finding be provided to the following:

The family of Ms Yan Zhu LIN

The police investigator Senior Constable Nicole COOK (34469), Maribyrnong Traffic  
Management Unit, Victoria Police

Vic Roads

Signature:



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PARESA ANTONIADIS SPANOS  
CORONER

Date: 27 January 2012

