

Response to the Office of the State
Coroner of New South Wales

**Report into Boating Incident
Camden Haven Bar
9 March 2005**

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| Coroner | Coroner, S. R. Shields |
| Date of findings | N/A |
| Inquest location | Port Macquarie |
| Recommendation(s) | The incident was examined and reported on by the Office of the Coroner. While the inquest was dispensed with, the State Coroner contacted NSW Maritime seeking consideration of one issue in relation to compulsory lifejackets while crossing coastal bars. |
| Status of recommendations | Closed. |

Background

In the early afternoon of 9 March 2005, three commercial fishermen were returning to port during a run-out tide. While the vessel was crossing the bar, a wave picked up the vessel and turned it onto its side, which caused a crew member to fall overboard. The vessel had to continue on its course through the bar and was unable to return to assist. The crew member quickly went out of sight and his body was located a short time later approximately 1km out from the bar.

CAMDEN HAVEN BAR, 9 MARCH 2005

| No. | Coroner's recommendation: | NSW Maritime's response ¹ |
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| | <p>(Note: this was not a formal recommendation from the Coroner – rather a verbal suggestion during telephone conversations with the Coroner during the inquest.)</p> | |
| 1. | <p>Either WorkCover or NSW Maritime (or both) could seek legislative changes in relation to the issue of lifejackets whilst crossing coastal bars by all vessel occupants, including commercial/fishing vessels.</p> | <p>Compulsory lifejacket requirements apply to all persons onboard recreational vessels and commercial vessels carrying passenger (including fishing charters) when crossing coastal bars.</p> <p>However, this requirement does not extend to commercial fishing vessels.</p> <p>The issue of lifejackets has been discussed with the FIAG on multiple occasions but the proposal has not gained support from industry.</p> <p>Commercial fishers argue the depth and breadth of their experience makes the risk acceptable, and when conditions deteriorate they wear them as appropriate and when safe to do so. The industry argues their insurers do not mandate it, that lifejackets can be cumbersome, and they can potentially interfere with safe fishing operations.</p> <p>This matter is considered closed.</p> |

¹ The response should be considered in conjunction with the published regulations, policies and safety initiatives outlined on the NSW Maritime website and in published materials.