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12 October 2022

Our Ref:
Your Ref: COR 2021 000452

**Coroner's Registrar
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006)**

Attention: Anna Pejnovic

Dear Ms Pejnovic

**INVESTIGATION INTO THE DEATH OF DAVID ANDREW COULTER
FINDING WITHOUT INQUEST – SAFE TRANSPORT VICTORIA RESPONSE TO RECOMMENDATIONS
CASE NUMBER: COR 2021 000452**

On behalf of Safe Transport Victoria (ST Vic) I write in response to the Coroner's finding without inquest dated 12 July 2022 following the investigation into the death of David Andrew Coulter on 23 January 2021, and the recommendations below.

1. In the interests of public health and safety and with the aim of preventing like deaths, I recommend that the Maritime Safety Division of Transport Safety Victoria highlight and disseminate the circumstances in which Mr Coulter drowned in its upcoming educational materials and safety promotional campaign.
2. In the interests of public health and safety and with the aim of preventing like deaths, I recommend that the Maritime Safety Division of Transport Safety Victoria produce and disseminate awareness campaign such as the "Life Jacket Label-Read It" campaign as advanced by the National Safe Boating Council of the United States.

Response

Recommendation 1

ST Vic supports recommendation 1.

ST Vic is now using the circumstances of the death of Mr Coulter in public facing education activities to highlight the importance of Lifejacket wear and maintenance, as well as the use of small vessels in near shore coastal environments.

ST Vic produces monthly newsletters directly emailed to the subscribed members of the public in addition to being made available on the ST Vic website. Lessons learnt are the lead articles in these monthly newsletters, and the circumstances of fatal incidents are used as priority topics as they occur. The circumstances in which Mr Coulter drowned will be included in a future edition of our recreational boating safety newsletter *ShipShape*, due to be published before the end of 2022.

Recommendation 2

ST Vic notes recommendation 2 and provides the following comments in relation to its current education and awareness campaign regarding lifejackets:

ST Vic notes the Coroner's recommendation referring to the "Life Jacket Label - Read It" campaign as advanced by the National Safe Boating Council of the United States. The United States campaign relates to a change in labelling requirements and is not linked to lifejacket wear or servicing. Victoria does not currently have a labelling scheme, nor do other Australian jurisdictions. ST Vic's education activities relate to improving lifejacket safety by focusing on using the appropriate lifejacket and on lifejacket servicing, which aligns with the approach of other Australian jurisdictions.

Since 2021, ST Vic has been delivering a series of '[FloatSafe Lifejacket Self Inspection Clinics](#)' at numerous locations. These clinics were developed based on the experience of the ST Vic team members, as well as feedback from other state authorities of different approaches to educating the public on maintenance and use of lifejackets.

These clinics are now delivered directly to fishing clubs and in other public facing settings by ST Vic staff. ST Vic developed a [co-branded video with BoatSales](#) in 2020 that delivers all the key messages to conduct a self-inspection of an inflatable lifejacket.

ST Vic staff have also been actively engaged in the enhancement of the Australian Standard AS4758 to make servicing requirements consistent across all manufacturers as well as improving signage and features of inflatable lifejackets.

A period of public consultation on the proposed remake of the *Marine Safety Regulations 2012* has just been completed by the Victorian Department of Transport. The remake of the regulations is expected to occur in early 2023.

The consultation includes a proposal by ST Vic to update life jacket standards so that old and less safe lifejackets will no longer be acceptable on recreational boats. This reflects the improvements made to the AS4758 standard and the support that all state regulators are giving to Australian manufacturers to prevent the importation of lifejackets that do not meet the improved AS4758 standard.

I would welcome the opportunity to discuss these issues in more detail with you if this would be of assistance.

If you require any further information, please contact Jane Wright, Policy Adviser, at jane.wright@transportsafety.vic.gov.au.

Yours sincerely



LAURA MCDONOUGH

General Counsel and Director of Legal, Governance and Policy