



ATTORNEY-GENERAL
MINISTER FOR JUSTICE

Parliament House
State Square
Darwin NT 0800
Minister.Fyles@nt.gov.au

GPO Box 3146
Darwin NT 0801
Telephone: (08) 8936 5610
Facsimile: (08) 8936 5562

REPORT TO THE LEGISLATIVE ASSEMBLY

Pursuant to section 46B of the *Coroners Act*

In the matter of the Coroner's Findings and recommendation regarding the death of
Mr Noel Ramage

Pursuant to section 46B of the *Coroners Act*, I provide this Report on the findings and recommendation of the Deputy Coroner, Mr Kelvin Currie, dated 9 November 2016, regarding the death of Mr Noel P Ramage (the Deceased) (refer Attachment A).

The Report includes the response to the recommendation from the Chief Executive Officer (CEO) of the Department of Infrastructure, Planning and Logistics (refer Attachment B).

The Deceased, a 75 year old man who was a resident of Victoria, died at about midday on 17 May 2016 when his modified vessel overturned. The place of death was about 2.1 kilometres upstream of the boat ramp on Saltwater Arm River at approximately latitude 12 degrees 14 minutes south, longitude 131 degrees 10 minutes east. The cause of death was accidental drowning.

Recommendation of the Coroner

In accordance with section 16 of the *Coroners Act*, a formal inquest into the death of the Deceased was not held as the Deputy Coroner considered that the investigation of the death sufficiently disclosed the identity of the Deceased and the relevant circumstances of that death.

Pursuant to section 34(2) of the *Coroners Act*, the Deputy Coroner made the following recommendation in regards to the death of the Deceased:

I **recommend** that the Department of Infrastructure, Planning and Logistics alert the users of small boats to the dangers of:

- modifying vessels without expert advice or assistance; and
- operating vessels beyond their design capabilities, including exceeding the requirements detailed on the Australian Builders Plate where one is fitted.

I note that it has been a requirement in the Northern Territory since 1 April 2013 to fit Australian Builders Plates to all new recreational vessels sold.

The Australian Builders Plate provides key information on a boat's capability and capacity and includes detail on boating operations, maximum number of people and load allowed, engine rating and weight.'

Response to Coroner's recommendation

A copy of the Coronial Findings was provided to the CEO of the Department of Infrastructure, Planning and Logistics on 30 January 2017, in accordance with section 46A(1) of the *Coroners Act*.

A written response was received from the CEO of the Department of Infrastructure, Planning and Logistics dated 10 April 2017 (refer Attachment B) as required by section 46B(1) of the *Coroners Act*, advising as follows:

- The Department of Infrastructure, Planning and Logistics Marine Safety Branch is developing a safety alert brochure which highlights the danger of modifying recreational vessels and operating them beyond the vessel manufacturer's design limitations and capabilities.
- A Communications Plan has been developed to inform and highlight these issues with the recreational boating community.

I am satisfied that the Department of Infrastructure, Planning and Logistics has considered the Coronial Findings and is taking necessary steps with respect to the recommendation made.

DATE:

11 MAY 2017



.....
NATASHA FYLES

NORTHERN TERRITORY OF AUSTRALIA

CORONERS ACT 1993

Rel No: D0084/2016

Promis No: 7847342

Section 16

Coroner's Reasons for Decision not to Hold Inquest

Section 34

Coroner's Findings

1. I, Kelvin Currie, Deputy Coroner for the Northern Territory, have investigated the death of:

NOEL P RAMAGE

On: 17 May 2016

At: Saltwater Arm River, Northern Territory

GPS coordinates S 12°14.437' E 131° 10.782'

I have decided not to hold an inquest into that death because the investigations into the death have sufficiently disclosed the identity of the deceased person, the time, place, cause of death, relevant circumstances concerning the death and the particulars needed to register the death under the *Births, Deaths and Marriages Registration Act*.

2. I do not consider that the holding of an inquest would elicit any information further to that disclosed by the investigations conducted.

SUMMARY OF EVIDENCE

Identification

3. On 17 May 2016 the deceased's body was identified by his friend, Raymond McCumber.

Post-Mortem Examination

4. An autopsy was performed by Doctor John Rutherford Forensic Pathologist on 19 May 2016. His report gives the cause of death as:

1(a) Disease or condition leading directly to death: *Drowning*

Summary of major pathological findings

- Clear frothy fluid exudation around the lips.
- Fluid in the main airways.
- Oedematous lungs.
- Mild pulmonary emphysema.
- Mild cardiomegaly.
- Mild diffuse left ventricular fibrosis.
- In situ three lead cardiac pacemaker.
- Mild to moderate focal coronary artery atherosclerosis.
- Severe atherosclerosis of the abdominal aorta.
- Previous surgery to the right side of the neck (presumed radical neck dissection).
- Probable previous radiotherapy to the right side of the neck.
- Previous appendicectomy.

Conclusion

I have no current reason to believe that death was from anything other than drowning.

Specimens

5. Specimens were taken for toxicology analysis.

Results: Forensic Science Case Number: 1602604

1. Alcohol was not detected in the blood
2. Detected in the blood:
 - (1) 0.33 mg citalopram per L
 - (2) approximately 9 mg paracetamol per L (consistent with therapeutic concentrations)
 - (3) approximately 7 mg phenytoin per L (consistent with therapeutic concentrations)
 - (4) metoprolol (consistent with therapeutic concentrations)
3. No other drugs were detected in the blood

Police Investigation

6. A coronial investigation by Police found no suspicious circumstances surrounding this death.

Circumstances

7. Noel Ramage (the deceased), a 75 year old man was born on 14 November 1940 in Shepparton, Victoria.

He had three children to his first wife Priscilla: Elaine, David and Rodney. He later married Annette. She passed away in 2012.

He had worked for State River and Water Supply in Bendigo, however had been retired for several years at the time of his death.

Noel had been receiving treatment for the cancer, but in early May 2016 he reported to family and friends that he had been given the "all clear" and decided to travel to Darwin for a holiday.

On 14 May 2016 Noel, his daughter Elaine and good friend Raymond (Ray) McCumber travelled to the Northern Territory to visit Noel's son, David in Darwin. They drove up in Noel's extra cab utility towing his boat. He spoke of taking Ray crabbing. The boat was a 'Dolphin' 13 footer, fitted with a 9.9hp outboard motor. However, he had modified it from its original design by adding panels for side protection (cages) about 570mm high and 2700mm long along both sides of the boat and placed chairs in the boat for seating.

At about 9.00am on 17 May 2016, Noel and Ray drove down to the Saltwater Arm River Boat Ramp. There they installed the side panels on the boat.

Fishermen launching their boat at the ramp noticed the panels and asked about their purpose. Noel replied "to keep the croc's away from Mac". The fishermen made a comment about the panels affecting the stability of the boat.

Ray put on a lifejacket. He said he had a fear of water and had never learnt to swim. Noel didn't put one on. He said he had never needed one.

Ray was seated at the front. Noel was seated at the rear driving the boat. They headed upstream and set their crab pots (eleven in total). A little while later they checked the first pot. There was no crab. They reset the pot and checked the second. Ray missed the rope on the second pot. Noel reached into the water and grabbed it. He turned the motor off and lifted the pot in from the right hand side of the vessel and placed it on the Esky in the middle of the boat. It contained a large mud crab.

As Noel pulled the crab out of the pot he shouted, "Croc Mac. The boat overturned and Ray found himself in the water. He said, "I hadn't seen or felt anything so it caught me totally by surprise".

Ray had his lifejacket on and was floating alongside the boat. He could not see Noel. The side panels had been dislodged and the Esky, bucket, the other lifejacket and chair floated away.

Ray said he tried to right the vessel for about two hours. He said he noticed crocodiles in the water and fended them off by throwing objects at them. When Ray righted the boat he found Noel inside. His death was obvious. The boat was full of water and so Ray climbed the bank into the mangroves.

At around 2.00 to 2.30pm, professional mud crabbers noticed that the transom of Noel's boat was under the water and motored over to have a look. As they got closer, they heard Ray call out to them from the mangroves.

The men observed Noel in the boat floating face down in the water, his legs extending past the transom. They rolled him over and saw he was dead. They drove into the mangroves, pulled Ray into their boat and then towed the boat back to the Saltwater Arm River Boat Ramp.

A '000' phone call was made from the Leaders Creek fishing base (there was no mobile service at the boat ramp). Careflight received the call at 3.19pm and landed at the boat ramp at 3.50pm. Medical staff declared Noel deceased at 3.55pm.

The boat was later inspected by the Principle Marine Safety Officer with the Department of Transport, Sri Srinivas. In his report of 24 August 2016 he stated, *"modifications have rendered the boat inherently unsafe to carry 2 persons even in smooth waters. Thus the vessel was unseaworthy for the voyage undertaken."*

In effect, the weight and positioning of the side panels exaggerated any weight imbalance. Sitting on the chairs installed in the boat accentuated the issues. The modified boat took water and capsized relatively easily.

Recommendation

I **recommend** that the Department of Infrastructure, Planning and Logistics alert users of small boats to the dangers of:

- modifying vessels without expert advice or assistance; and
- operating vessels beyond their design capabilities, including exceeding the requirements detailed in an Australian Builders Plate where one is fitted.

I note that it has been a requirement in the Northern Territory since 1 April 2013 to fit Australian Builders Plates to all new recreational vessels sold.

The Australian Builders Plate provides key information on a boat's capability and capacity and includes detail on boating operations, maximum number of people and load allowed, engine rating and weight.

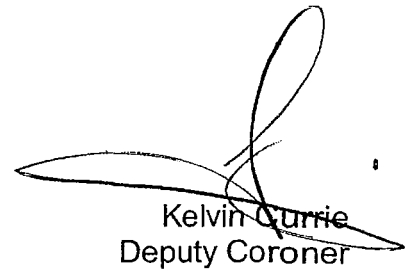
FINDINGS

I find that the deceased is Noel P. Ramage, a male born on 14 November 1940 in Shepparton, Victoria. He resided at 31 Daniel Drive, Kangaroo Flat in Victoria and was retired.

The deceased died about 2.1 kilometres upstream of the boat ramp on Saltwater Arm River (GPS coordinates S 12°14.437' E 131° 10.782') on 17 May 2016 at about midday.

The cause of death was accidental drowning.

Dated 9 November 2017



Kelvin Currie
Deputy Coroner

Chief Executive
Level 5 Energy House
18-20 Cavenagh Street
DARWIN NT 0800

Postal Address
GPO Box 1680
DARWIN NT 0800

T 08 8924 7029
E andrew.kirkman@nt.gov.au

File Ref: D20170018TC-0001

The Hon Natasha Fyles
Attorney-General and Minister for Justice
Parliament House
GPO Box 3146
DARWIN NT 0801

Dear Minister

Re: Coronial Findings – Noel Ramage

Pursuant to section 46B of the *Coroners Act*, following the Coronial investigation into the death of Mr Noel Ramage, I provide the following response regarding the actions taken by the Department of Infrastructure, Planning and Logistics as a result of the Coroner's findings and recommendations.

The Coronial investigation found that Mr Ramage fell into the water as a result of the boat he was in, capsizing. The boat had been modified and these modifications had made it inherently unsafe.

The Coronial recommendations are that the Department alert users of small boats to the dangers of:

1. modifying vessels without expert advice or assistance; and
2. operating vessels beyond their design capabilities, including exceeding the requirements detailed on the Australian Builders Plate (ABP) where one is fitted.

The Department's Marine Safety Branch is developing a safety alert brochure which highlights the danger of modifying recreational vessels and operating them beyond the vessel manufacturer's design limitations and capabilities.

A Communications Plan has been developed to inform and highlighted these issues with the recreational boating community. A copy of the Communications Plan is attached for your information.

Yours sincerely



Andrew Kirkman
Chief Executive

10/4/17

RECEIVED
12 APR 2017
2017/1155-NKF
MINISTERIAL
OFFICE

Communications Plan

Dangers of modifying recreational boats

May 2017

Top End regions

Department of Infrastructure, Planning and Logistics
March 21 2017

www.nt.gov.au



Communications Review Committee (CRC) Form

Dangers of modifying recreational boats

Proposed Budget \$ 10 000

1 May – 28 May 2017

DIPL
Communications Manager Shannon Rice

Phone 0477 388 404

Email shannon.rice@nt.gov.au

- Four week digital, radio and print campaign to raise awareness of the dangers of unqualified people modifying and using recreational vessels in Top End waterways.
- Target audiences are recreational boat owners and users in the Top End and the boating community.

Approvals	Date	Name	Signature
Director Communications (approval of communications strategy, plan, creative)		Tegan Berg	
Agency Chief Executive (approval of strategy, expenditure and compliance with Public Information Act)		Andrew Kirkman	
Ministerial Office		Lesley Major	
CRC approval		NOT REQUIRED	

Creative attached?	No	• This will be provided for review by 13/4/2017
Stakeholders Consulted?	Yes	• Department of Primary Industry and Resources' fisheries division, AFANT and Top End fishing and boating clubs will be asked to provide assistance with communicating the campaign to the target audience.
Cabinet Submission?	No	• Not applicable

Overview

- In May 2016, 75 year-old Victorian man Noel Ramage drowned after the small boat he owned and had towed to Saltwater Arm in the Northern Territory capsized and tipped him into the water.
- Mr Ramage had brought the vessel to the Territory during a holiday with his daughter and a friend.
- The boat was a Dolphin 13-footer fitted with a 9.9 horsepower outboard motor, which had been modified from its original design by adding cage panels for side protection, which were approximately 570mm high and 2700mm long and also placing chairs in the boat for seating.
- Mr Ramage and his friend were mud crabbing in the boat at Saltwater Arm when it overturned.
- The boat was inspected by then Department of Transport Principle Marine Safety Officer Sri Srinivas, who reported that modifications rendered the boat inherently unsafe to carry two passengers even in smooth waters and that the vessel was not seaworthy for its voyage.
- The Northern Territory Coroner in November 2016, recommended that the Department of Infrastructure, Planning and Logistics alert users of small boats to the dangers of modifying vessels without expert advice or assistance and operating vessels beyond their design capabilities, including exceeding the requirements detailed in an Australian Builders Plate where one is fitted.
- The Department's Marine Safety unit has identified that there is currently no materials in the Northern Territory which dissuade boat users from modifying their crafts without qualified help, and that the practice is becoming more common.
- A four-week media campaign targeting owners and users of small recreational boats is proposed for implementation from 1 May 2017, and to continue for four weeks, to convey the message that it's not safe to ride in boats modified without expert assistance.

Key messages

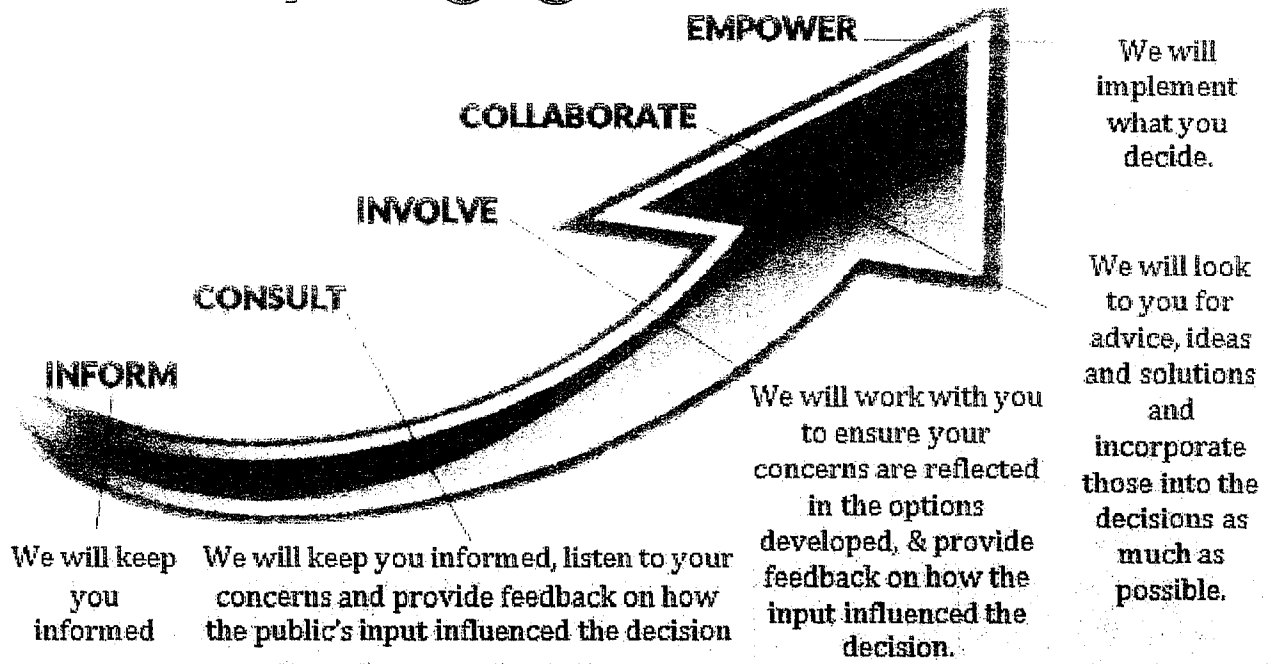
- Don't risk your life by modifying your vessel without expert advice.
- DIY is a great hobby but don't try and deck out your boat unless you're qualified. It might save a few bucks, but could cost your life.
- Don't deck out your boat without getting a professional to check it first.
- Don't let this weekend's fishing trip be your last – if you've tacked on a few extras, get it looked at by a professional.
- Don't let that snap of you proudly holding your barra be your last. Let someone qualified deck out your boat and get it checked by a professional.
- Get advice from a qualified person before making any changes to a boat's hull or permanent fittings.
- Stay safe on the water and don't operate your vessel beyond its design capabilities.
- The Territory is a great place to get out on the water, but don't make this prime catch your last. If you've decked out your boat yourself and you're not qualified, get it checked by someone who is. It might save your life.
- A boat builder, marine surveyor or naval architect can check your vessel and tell you how to modify it safely so you can enjoy casting a line from your boat for many years to come.
- The Northern Territory Government's Marine Safety unit can point you in the right direction to find qualified people in the Territory to help keep you safe in your boat.

Objectives

Objectives	Key Measures of Success
<p>Objective 1 Generate community engagement and convey the message that you are risking your life if you modify your boat without qualified input</p>	<ul style="list-style-type: none">• Generate more than 20,000 engagements on Facebook in response to Facebook paid advertising, organic posts and video advertisement between 1 May and 28 May 2017.• Distribute safety alert DL flyer and share digital content to reach audiences and garner feedback from local boating and fishing groups on the effectiveness of the campaign, including Amateur Fishermen’s Association of the Northern Territory (AFANT), Darwin Trailer Boat and Sailing Clubs, Palmerston Game Fishing Club and the Department of Primary Industry and Resources fisheries division.
<p>Objective 2 Reach the tourist and visitor audience in the Northern Territory and convey the message that boats need to be modified by a qualified person</p>	<ul style="list-style-type: none">• Sharing of Facebook and digital content on Tourism Top End and Tourism NT social media accounts and websites.• Distribute safety alert DL flyer to visitor information centres and accommodation providers popular with boating enthusiasts in the Top End.• Engage with ANZSBEG (Australian New Zealand Safe Boating Education Group) to share the message with other jurisdictions.

Level of community engagement

- Using the International Association for Public Participation (IAP2) principles that guide good community engagement, communications will be implemented at the level of inform and some level of consult with liaison with key fishing groups about campaign.



Target Audience

Primary

- Recreational boat owners and users in the Top End.
- Target sources of information popular with boaties including fishing section/columns/tide times in NT News, radio fishing programs including Tales from the Tinny, distribution of marine safety alert and campaign materials through fishing lobby groups and clubs.
- Many in the target audience would regard DIY modifications as no major safety concern and would see this as a way to save money and maximise vessel performance, but may reconsider when shown it can cost lives.
- Audience is influenced by peers, fishing clubs and lobby groups, and fishing related media.
- A combination of paid advertising in online and radio forums, as well as production of a simple double sided-single column DL flyer safety alert distributed through fishing clubs, lobby groups, boat dealers and service centres, and made available at boat ramps if possible, would influence target audience.

Secondary

- Visitors to the Top End who bring their own vessels and may be less aware of local conditions.
- Some of this target audience may mistakenly interpret the relaxed Territory vibe as applicable to marine safety and assume their modified vessel will be fine on Territory waterways.
- Some of this audience will be reachable during their time in the Territory through a local media campaign, but will also need to ensure Tourism Top End and visitor information centres are targeted physically with DL brochure and also social media accounts, as well as accommodation providers popular with boaties, are targets for information distribution.

Target Audience

Audience	Think	Feel	Do	How
<i>Recreational boat owners and users in the Top End</i>	<i>It might be fun and cheaper to modify my boat by myself but it might not be safe.</i>	<i>I want to enjoy my time on the water for many years to come. I can't endanger my or my mates lives by decking out my own boat if I'm not qualified.</i>	<i>Contact the Northern Territory Government's marine safety branch to find out where I can go in the Territory to get my boat modified professionally or get it checked.</i>	<ul style="list-style-type: none"> • Advertising communicating the message about boat safety. • DL brochure marine safety alert.
<i>Fishing groups including lobby groups and clubs</i>	<i>Many of our members modify their boats and it might be just a hobby and save money but it could cost their lives.</i>	<i>We want our members to come home safe from every fishing trip.</i>	<i>Encourage members to contact the Northern Territory Government's marine safety branch to find out where I can go in the Territory to get my boat modified professionally or get it checked.</i>	<ul style="list-style-type: none"> • Share and promote advertising communicating the message about boat safety. • Share and promote DL brochure marine safety alert.
<i>Recreational boat owners and users visiting from interstate</i>	<i>The Territory is a laid-back place, I can use my home modified boat there, but it might not be safe.</i>	<i>I don't know the conditions on the water very well and the consequences could be serious.</i>	<i>Get my modified boat checked by a professional or leave my boat at home and take a charter.</i>	<ul style="list-style-type: none"> • Advertising communicating the message about boat safety. • DL brochure marine safety alert through tourism providers.

Tactics

Tactic/Activity	Start Date	Finish Date
Design and production of single-panel double-sided DL flyer carrying safety alert about the dangers of modifying recreational vessels when unqualified. Distribute through media campaign and fishing groups, boat dealers and service centres.	1 May	Ongoing
Design and production of short animated clip for online broadcast communicating boat safety message	1 May	Ongoing
Page on DIPL website containing short animated clip, boat safety information and contacts for marine safety branch.		
Media release and media event at local boat ramp with modified boat if possible – talent could include Minister/s and fishing group representatives to launch campaign and raise awareness. Talent to be made available for radio interview on Tales from the Tinny and other fishing programs	1 May	Ongoing
Facebook advertising on DIPL page, shared by fishing representative and lobby groups and tourism operators, including short animated clip promoting boat safety message	1 May	28 May
Encourage boat dealers, service centres, and other fishing related Facebook pages to share our content	1 May	28 May
Radio advertising on Mix 104.9 and Territory FM	1 May	28 May

Stakeholder Engagement

Stakeholder / Group	Method / Channel	Frequency / Timing	Key Messages	Responsibility
AFANT Fishing clubs in Darwin, Palmerston and rest of Top End	Email/letter from principal Marine Safety Officer or ED/CE as appropriate	• Prior to campaign mid April	<ul style="list-style-type: none"> • DIPL is developing a campaign to try to prevent further deaths related to modified vessels. • We would like your help to distribute this material and spread the word 	• DIPL communications/ Principal marine safety officer
Dept of Primary Industry and Resources Fisheries division	• Email/letter from principal Marine Safety Officer or ED/CE as appropriate	• Prior to campaign mid April	<ul style="list-style-type: none"> • DIPL is developing a campaign to try to prevent further deaths related to modified vessels. • We would like your help to distribute this material and spread the word 	• DIPL communications/ Principal marine safety officer
Tourism Top End, Tourism NT and tourism accommodation popular with boaties	• Email/letter from principal Marine Safety Officer or ED/CE as appropriate	• Campaign launch in May	• DIPL would like your help communicating the message about modified boat safety to visitors to the Top End who bring their boats.	• DIPL communications/ Principal marine safety officer
ANZSBEG (Australian New Zealand Safe Boating Education Group)	• Email/letter from principal Marine Safety Officer or ED/CE as appropriate	• Prior to campaign mid April inform ANZSBEG of campaign	• Send ANZSBEG and other jurisdictions a letter seeking support to educate Top End visitors about the dangers of modifying their vessels	• DIPL communications/ Principal marine safety officer
Top End boat dealers and service centres	• Email/letter from principal Marine Safety Officer or ED/CE as appropriate	• Prior to campaign launch	• DIPL wants boat dealers and service centres to work with us to help spread the word that boat modifications need to be done by or checked by a qualified person.	• DIPL communications/ Principal marine safety officer

Budget

Use this section to set out the high level budget required for each campaign element. A detailed Excel budget should be developed and expenses tracked and

Campaign element	Budget (\$)
Creative (concept development) for short video clip	\$4500
Radio advertising (Mix 104.9 and Territory FM)	\$3500
Production of DL flyer with marine safety alert	\$1000
Facebook advertising	\$1000
Total	\$ 10 000
Funding secured and agreed?	Yes
Financial delegate known and approval gained?	Executive Director Transport Services and Safety Simon Saunders