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**JURISDICTION** : CORONER'S COURT OF WESTERN AUSTRALIA  
**ACT** : CORONERS ACT 1996  
**CORONER** : SARAH HELEN LINTON, DEPUTY STATE CORONER  
**HEARD** : 25 JULY 2023  
**DELIVERED** : 28 JULY 2023  
**FILE NO/S** : CORC 666 of 2023  
**DECEASED** : JENNINGS, TERRY FRANK

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*Catchwords:*

Nil

*Legislation:*

Nil

**Counsel Appearing:**

Senior Constable C Robertson assisted the Coroner.

Coroners Act 1996  
(Section 26(1))

## RECORD OF INVESTIGATION INTO DEATH

*I, Sarah Helen Linton, Coroner, having investigated the disappearance of Terry Frank JENNINGS with an inquest held at the Perth Coroner's Court, Court 85, CLC Building, 501 Hay Street, Perth on 25 July 2022, find that the death of Terry Frank JENNINGS has been established beyond all reasonable doubt and that the identity of the deceased person was Terry Frank JENNINGS and that death occurred on or about 31 March 2022 in the waters of the Indian Ocean off Gnarabup Beach Boat Ramp, Wallcliffe Road, Gnarabup as a result of an unknown cause in the following circumstances:*

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## INTRODUCTION

1. Terry Jennings (Mr Jennings) was last seen alive at 8.15 am on Thursday, 31 March 2022, when he launched his boat at Gnarabup Beach Boat Ramp. Gnarabup is located on the coastline, a short distance from the township of Margaret River, where Mr Jennings lived.
2. Local police officers from the Margaret River Police Station became aware that Mr Jennings had not returned to shore at about 6.30 pm on Sunday, 3 April 2022. A member of the local volunteer Marine Rescue Group advised them that a locked vehicle and empty boat trailer were in the carpark at Gnarabup Boat Ramp. They were concerned as the weather was stormy and unfavourable for boating. No distress calls had been received, but there were still concerns someone might be in trouble. The boat and trailer were established to belong to Mr Jennings.
3. Police officers went to the area and noted Mr Jennings' boat and trailer appeared to have been parked there for some time. Patrols of the immediate area around the boat ramp saw no small boats in the bay and a check of Mr Jennings' home found it locked and secure, with no sign of Mr Jennings.
4. Further enquiries established that Mr Jennings was an avid fisherman who went out regularly in his boat alone. He lived on his own and wasn't close to any family members, so his good friend Robert Pett was his registered next of kin. Mr Pett was aware Mr Jennings had been experiencing some recent heart problems and had hurt his back, so he hadn't been out fishing for a few weeks prior to his disappearance. On Sunday, 27 March 2022, Mr Jennings told Mr Pett he had plans to go back out fishing, but intended to only go out on 'zero swell' days and keep close to the shore. That was the last time Mr Pett heard from Mr Jennings.
5. On the morning of 31 March 2022, Mr Jennings had spoken to a local man while he launched his dinghy from the boat ramp. They discussed the strong offshore winds and Mr Jennings said he planned to stay inside the bay and only head outside once the wind had died off. He appeared in good spirits at the time and was last seen in his boat heading out into the water. The general advice was that Mr Jennings would only go out for a couple of hours, so he would have been expected to return to the boat ramp by the end of the day. Instead, he had been out for four days, which strongly suggested to the police that Mr Jennings had got into trouble and required rescue.
6. A comprehensive search of the land and sea in the relevant area was conducted from Monday, 4 April 2022 to Tuesday, 5 April 2022, but no sign of Mr Jennings or his boat was found. The search concluded on the evening of 5 April 2022, as expert advice was provided that there was no reasonable prospect of Mr Jennings being found alive after that time.
7. An officer from the Margaret River Police Station prepared a report to the State Coroner on 3 February 2023, indicating it is the belief of the WAPF that Mr Jennings is deceased. On the basis of the information provided by the WA Police in relation to Mr Jennings' disappearance, the State Coroner determined that pursuant to s 23 of the *Coroners Act 1996* (WA), there was reasonable cause to suspect that Mr Jennings had died and his death

was a reportable death. The State Coroner therefore made a direction that a coroner hold an inquest into the circumstances of the suspected death.<sup>1</sup>

8. I held an inquest at the Perth Coroner's Court on 25 June 2023. The inquest consisted of the tendering of documentary evidence compiled during the police investigation conducted into Mr Jennings' disappearance, as well as hearing evidence from First Class Constable Ashleigh Roe, who was one of the officers who was first informed of Mr Jennings' disappearance and later prepared the report for the Coroner.

## **BACKGROUND**

9. Mr Jennings was born in Sydney, New South Wales, and spent his teenage years in Sydney with his family. Later in life, he moved to Jersey, an island in the channel of islands between the French and United Kingdom coast. He lived overseas for approximately eight years, during which time he enjoyed scuba diving, fishing and boating. He reportedly once dived on an old 17<sup>th</sup> Century shipwreck and recovered an old brass cannon. After Mr Jennings returned to Australia, he lived in Sydney for a number of years, before finally moving to Western Australia.<sup>2</sup>
10. In the mid-1980's, Mr Jennings purchased land on Terry Drive in Margaret River and built a house there. He was still living in this house at the time of his disappearance. Mr Jennings had been in a relationship while living in Europe, but the relationship ended following his return to Australia. He had been involved in some short-term relationships after that time, but was single at the time of his death. Mr Jennings did not have any children and was reportedly not close to his extended family.<sup>3</sup>
11. Mr Jennings was a connoisseur of good food and wine and in his younger years he had enjoyed regular travel to Singapore and also to Hong Kong to experience the culture and food. Prior to the COVID-19 restrictions, Mr Jennings would travel regularly every six weeks up to Perth to stay at the Hyatt hotel and try different dining experiences. He was creating his own recipe book of fine dining recipes as well as collaborating with Mr Pett to create a book on experiences and 'things to do' in Singapore. It is clear Mr Jennings had always embraced new experiences and enjoyed getting out and about in the world.
12. Mr Jennings had also always loved the water and he continued his love of ocean activities in Margaret River. In the last years of his life, Mr Jennings had slowed down and stopped scuba diving, but continued to go out fishing in his boat regularly. He had reduced his crayfishing, as he found pulling up the pots difficult due to his back issues. Instead, he spent most of his time fishing for dhufish and whiting or catching squid. Mr Pett had gone out fishing with Mr Jennings a few times, but Mr Jennings generally fished alone. He was generous in sharing his catch with others and meticulous about the way he cared for his boat and fishing gear.<sup>4</sup>

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<sup>1</sup> Section 23 *Coroners Act* Direction of State Coroner Fogliani dated 16 May 2023.

<sup>2</sup> Exhibit 1, Tab 2 and Tab 3.

<sup>3</sup> Exhibit 1, Tab 2 and Tab 3.

<sup>4</sup> Exhibit 1, Tab 2 and Tab 3.

13. On Friday, 18 March 2022, Mr Pett received a telephone call from Mr Jennings. They had made plans to meet for lunch at a winery on Sunday, 20 March 2022, but Mr Jennings advised during the call that he would have to cancel their plans. Mr Jennings told Mr Pett that he was having some heart rhythm problems and he was feeling quite low and didn't think he would be able to make it through lunch without feeling ill. Mr Jennings mentioned he would be seeing his doctor, Dr Graham Velterop, to get some medication.<sup>5</sup>
14. Mr Jennings had seen Dr Velterop on 14 March 2022 with a complaint of waking up feeling anxious and sweaty, though he was not aware of any palpitations or cardiac symptoms. Dr Velterop found Mr Jennings was experiencing paroxysmal atrial fibrillation. He was commenced on the heart medication Metoprolol (a betablocker) and an anticoagulant, Eliquis, and was referred to a cardiologist, Dr Stefan Buchholz, in Bunbury.<sup>6</sup>
15. Mr Jennings spoke to Dr Velterop over the phone on Friday, 18 March 2022, to check his response to the beta-blocker. Mr Jennings told the doctor he had been feeling a bit unwell since starting the new medications. He reported he had taken a double dose of his new medication and his old blood pressure medication, Micardis Plus, and felt light headed and woozy. Dr Velterop suggested he withhold the Micardis Plus and reduce the Metoprolol dose if he still felt woozy. Dr Velterop sent the referral request to Dr Buchholz, with a request for an echocardiogram, that day.<sup>7</sup>
16. Dr Velterop spoke to Mr Jennings again on the phone on Monday, 21 March 2022. Mr Jennings said he had felt much better since withholding the Micardis Plus medication the day before. Dr Velterop suggested he continue with the Metoprolol and take a half dose of the Micardis Plus. They arranged another appointment for the following Monday, 28 March 2022.
17. Dr Velterop reviewed Mr Jennings on 28 March 2022 and found Mr Jennings' heart had returned to sinus rhythm on the new medications, although it was borderline, and he was experiencing far less sweats. However, he was still wakening unrefreshed and lethargic. Mr Jennings was prescribed Stilnox for his severe insomnia and he was encouraged to participate in gentle, regular exercise. It was arranged that Mr Jennings would be reviewed again after the results of the echocardiogram were available. Dr Velterop rang Mr Buchholz's rooms and was told the referral had not been triaged yet, but it was likely it would be done next week. Dr Velterop sent another letter through to Dr Buchholz that day advising of the improvement in Mr Jennings' heart rhythm (demonstrated on an ECG) and confirmed his current medications. It was noted that Mr Jennings' nocturnal symptoms suggested possible sleep apnoea, although he was not keen to go down the avenue of sleep studies and possible CPAP unless strongly recommended.<sup>8</sup>
18. Unfortunately, Mr Jennings disappeared before he could be reviewed by the cardiologist, Dr Buchholz.

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<sup>5</sup> Exhibit 1, Tab 2 and Tab 3.

<sup>6</sup> Exhibit 1, Tab 2 and Tab 17.

<sup>7</sup> Exhibit 1, Tab 2 and Tab 17.

<sup>8</sup> Exhibit 1, Tab 17.

**LAST CONFIRMED CONTACT WITH MR JENNINGS**

19. Mr Pett last saw Mr Jennings on Sunday, 27 March 2022, when Mr Jennings joined him to celebrate Mr Pett’s wife’s birthday. Mr Jennings apologised for being unable to make lunch the week before. Mr Jennings explained he had a heart rhythm problem but he was feeling better now he was taking heart medication. They spoke about fishing and Mr Jennings said he had been out fishing three or four weeks before and the medium swell had affected his back and caused him to be laid up in pain for a couple of days. Mr Jennings said he did not want to stop fishing, as he loved being out on the water too much, but he had decided to only go out fishing on zero swell days and to stay closer to shore, rather than head out to the outer reefs. Mr Jennings said, “I don’t have to go far from the boat ramp to catch dhufish,”<sup>9</sup> which was true as Mr Jennings was an exceptional fisherman who could catch fish anywhere. During the visit Mr Jennings appeared to be chatty and in good spirits.<sup>10</sup>
20. Mr Pett explained at the inquest that Mr Jennings had a lot of friends, but he was also very private. Mr Jennings didn’t believe in social media and only accessed the internet from the local library, so he only had regular contact with people by phone or in person and “he was very much a hermit,”<sup>11</sup> in that he might go a week without catching up with a friend. Mr Pett usually popped in to see Mr Jennings on the weekends, as he works in Perth during the week, so he would not have expected to see him again until the next weekend. Mr Pett did not come down to Margaret River on the relevant weekend until the Saturday night, so he did not get a chance to try and visit Mr Jennings and only became aware Mr Jennings was missing when he was contacted by the police.<sup>12</sup>
21. People down at Gnarabup Beach Boat Ramp also knew Mr Jennings very well, but they would simply have assumed he had gone out early to fish when his boat was in the carpark each day, as that was not unusual for him.<sup>13</sup>
22. As noted above, Mr Jennings saw his doctor for a medical review on 28 March 2022. He reported he was feeling a little better, although he still required further testing and review by a cardiologist and his sleep issues had not resolved at that time.
23. Mr David Gornall is a Margaret River local. He knew Mr Jennings casually, as they often saw each other at the Gnarabup Boat Ramp. They would usually discuss fishing or the weather when they met. On the morning of Thursday, 31 March 2022, Mr Gornall was at the Gnarabup Boat Ramp at about 8.00 am to launch his boat. He noticed Mr Jennings there and they had a brief conversation about fishing and the weather conditions that day. In particular, they spoke about the strong off shore winds that were present that morning. Mr Jennings said he was going to stay inside the bay to catch a couple of herring that he intended to use as live bait. He then planned to head outside the bay once the wind died down. Mr Jennings appeared in good spirits and Mr Gornall did not notice anything unusual about his presentation or manner.<sup>14</sup>

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<sup>9</sup> Exhibit 1, Tab 3 [66].

<sup>10</sup> Exhibit 1, Tab 3.

<sup>11</sup> T 11.

<sup>12</sup> T 10.

<sup>13</sup> T 12.

<sup>14</sup> Exhibit 1, Tab 4.

24. Mr Jennings launched his boat into the water ahead of Mr Gornall at approximately 8.15 am. Mr Gornall also launched his boat shortly after Mr Jennings, and he headed out west to drop craypots and went fishing for the day. He did not see Mr Jennings again that day, so assumed Mr Jennings must have headed south along the coast otherwise he would have seen him out on the water. Mr Gornall eventually returned to shore and left to go home, without seeing Mr Jennings again<sup>15</sup>
25. Mr Gornall went out on the water again on the Saturday, and did not see any sign of Mr Jennings that day. He also noted the current was very strong that day.<sup>16</sup>

### **DISCOVERY THAT MR JENNINGS WAS MISSING**

26. Margaret River Police received a call at 6.29 pm on Sunday, 3 April 2022 from the local Marine Rescue group advising that a vehicle and empty boat trailer were in the carpark at Gnarabup Boat Ramp. There were concerns for the welfare of the boat owner as the weather was unfavourable for boating. The local police officers made enquiries and established that it was a white Toyota Kluger and it was registered to Mr Jennings. The windows of the vehicle were slightly ajar and water from the rain was seen inside the vehicle. First Class Constable Wroe noted that it had been a lovely day on the Thursday, when Mr Jennings first parked the vehicle, which would explain why he had left the windows down, and supported the fact he had intended to return to it that day.<sup>17</sup>
27. As well as having windows down and water coming inside, the vehicle was cold to the touch and dry underneath, suggesting it had been parked at that location prior to the storm that had rolled in during the day. Patrols of the bay immediate area were conducted and no small boats were seen on the shoreline of the bay. First Class Constable Wroe and Senior Constable Sheridan went to Mr Jennings' home and found it was completely secure, with all blinds drawn and the doors and windows locked.<sup>18</sup>
28. Upon returning to the Gnarabup Boat Ramp, the police officers were informed that there was information from the owner of the nearby White Elephant Café to indicate Mr Jennings' car and boat trailer had been there on the Sunday morning, indicating he had been out to sea for some time. Given the sea conditions, serious concerns were held for his safety. The police officers conducted further patrols of the coastline but no boats were sighted. It was raining with strong winds at the time. That evening, police officers reattended Mr Jennings' home and, with Mr Pett's permission (as his registered next of kin), they forced entry to Mr Jennings' home. The property was in immaculate order and provided no clues as to what had happened to Mr Jennings. There was nothing to suggest he had come to any harm or that he had been in a disordered state of mind when he left.<sup>19</sup>
29. Further enquiries located CCTV footage, obtained from the White Elephant Café, which showed Mr Jennings had launched his boat at 8.15 am on the previous Thursday morning,

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<sup>15</sup> Exhibit 1, Tab 4.

<sup>16</sup> Exhibit 1, Tab 14.

<sup>17</sup> T 8.

<sup>18</sup> Exhibit 1, Tab 2.

<sup>19</sup> T 8; Exhibit 1, Tab 2 and Tab 6.

so he had been out on the water for 83 hours at the time the first report was made. It was observed from the CCTV footage that Mr Jennings' boat was a small 3.9 metre dinghy with an outboard motor and a very low freeboard. Information provided by people who knew Mr Jennings established he was 73 years old, had a known heart condition and had been recently unwell, and he would generally only go out fishing for a few hours. All of this information increased the level of concern for Mr Jennings' welfare.

30. Mr Pett advised police that Mr Jennings always took his mobile phone fully charged out on the boat with him. He would usually turn it off unless he was expecting a call.<sup>20</sup> His phone had not been located in his house or car, which was consistent with Mr Pett's information that Mr Jennings always had it with him. Therefore, if Mr Jennings had been in a position to call for help, one would have expected he would do so on his phone. Police officers later obtained Mr Jennings' telephone records, which showed the last outgoing call he made was at 7.04 am on 31 March 2022, apparently to Telstra. No further outgoing calls occurred after this time and the only incoming call was from First Class Constable Wroe, trying to locate him. Triangulation of the phone showed it was last active at 8.12 am that same morning. Mr Jennings was not known to have an EPIRB.<sup>21</sup>
31. Later enquiries also established Mr Jennings had not accessed his bank account since 30 March 2022.<sup>22</sup>

### THE SEARCH

32. Given it was evening and the weather conditions were poor when Mr Jennings was first discovered to be missing, as well as the time frame and type of search resources that were available, it was determined the full land and sea search could not commence until the following morning.<sup>23</sup>
33. An opinion had been obtained overnight from a survival specialist, Dr Paul Luckin, that the only real hope of Mr Jennings still being alive was if he was adrift in his boat having suffered a medical episode or some kind of mechanical failure. The search commenced at 6.00 am on Monday, 4 April 2022, as a possible rescue if Mr Jennings was found in his boat, or otherwise with the aim to recover his body if at all possible.<sup>24</sup>

Whilst the last known position of Mr Jennings could not be determined, initial planning of the search used an appropriate position just outside the reef line straight out from the boat ramp as a starting point. Drift modelling was then conducted using 'vessel adrift' and 'vessel submerged,' which was considered to give Mr Jennings the greatest survival opportunity if he was still in his boat or holding onto it, if the boat had been swamped. This modelling helped to set the search area parameters. In addition, police officers spoke to a number of locals who knew Mr Jennings and the areas he liked to fish, and a person who believed they had seen Mr Jennings in a location about 2 km directly off Gnarabup

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<sup>20</sup> Exhibit 1, Tab 2 and Tab 3.

<sup>21</sup> T 7; Exhibit 1, Tab 2 and Tab 14.

<sup>22</sup> Exhibit 1, Tab 2 and Tab 16.

<sup>23</sup> Exhibit 1, Tab 6.

<sup>24</sup> Exhibit 1, Tab 2 and Tab 6.



Beach at about 8.30 am on the Thursday morning. This information also helped to plan the search area.<sup>25</sup>

34. The search utilised three aircraft in addition to the Australian Maritime Safety Authority rescue jet to cover as much distance as possible. Given the size of the search area and its distance offshore, a Water Police vessel was despatched from Fremantle to be in a position to conduct rescue operations if Mr Jennings' boat was sighted. Marine rescue vessels, including jet skis, assisted the police to search the water surface. Several items, including buckets, were found south of Conto's Beach, but they could not be directly linked to Mr Jennings' vessel. Nothing else was found that assisted the search that day.<sup>26</sup>
35. Given there had been rain, it was considered there was still a small chance that Mr Jennings had survived overnight, so the search continued on Tuesday, 5 April 2022, with the use primarily of air assets over a large search area. By 5.20 pm, nothing of significance had been sighted and a decision was made by the Police Commander that the search should be terminated. This decision was later reviewed by an independent Search and Rescue Advisor, who endorsed the decision of the Commander, and it was ultimately endorsed by the Police District Superintendent and the search was terminated on the Tuesday evening. The specialist survival expert's opinion was that this was the latest time that Mr Jennings might possibly have survived, working on the 'best case' possible time for survival, but acknowledging it was highly unlikely he was still alive on the Tuesday.<sup>27</sup>
36. First Class Constable Wroe indicated that the police involved in the search and investigation believed Mr Jennings had a medical event and either fell out of his boat, or stayed in his boat and it was washed out to sea or overturned. There were a large number of people and vessels out around the Gnarabup Beach Boat Ramp on the Thursday and the day or two following, so it would have been expected Mr Jennings would have been seen if he had remained in the bay. However, if he had gone out past the reef, then he could have been swept away quickly. With the rain and the height of the swell by the Sunday, it was expected Mr Jennings' boat would have then capsized, which would also explain why it was not seen by the searchers in the following days.<sup>28</sup>
37. Mr Pett agreed with First Class Constable Wroe that the most likely explanation was that Mr Jennings had a heart attack, or some other sudden medical event, and his boat was washed out to sea. Mr Pett had told the police in April 2022 that in his opinion, based upon his knowledge of Mr Jennings and his ability as a fisherman, Mr Jennings must have met with some catastrophic medical event while out on the water on the Thursday, as it was a perfect weather day for fishing, with minimal swell and perfect conditions, and with Mr Jennings' experience, he would have been expected to return safely to the shore bar.<sup>29</sup>
38. Mr Pett, who knows the coastline there very well, and was familiar with Mr Jennings' regular fishing spots, felt that Mr Jennings' boat could have been washed anywhere by the offshore winds on the Thursday, let alone by the time the storm rolled in on the

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<sup>25</sup> Exhibit 1, Tab 6.

<sup>26</sup> Exhibit 1, Tab 6.

<sup>27</sup> Exhibit 1, Tab 6 and Tab 14.

<sup>28</sup> T 9.

<sup>29</sup> Exhibit 1, Tab 3.

Sunday. Therefore, Mr Pett commented that it was not surprising that Mr Jennings' boat was not found.<sup>30</sup>

### CONCLUSION

39. Mr Jennings was 73 years old and his reported health issues were not unusual for a man of his age, but they certainly raise the possibility that he suffered a medical event that prevented him from returning to shore safely. Not only did he suffer from cardiac issues, but he was becoming less able to cope with the rigours of boating and was also struggling with insomnia, which can be debilitating.
40. I am satisfied beyond reasonable doubt that Mr Jennings is deceased and he died on or about the 31 March 2022, which was the day he was last seen launching his boat. If he had been alive and well at the end of that day, I am satisfied he would have returned to the boat ramp. Mr Jennings' death was likely due to a medical episode, given his recent health issues and the fact that he was a very competent and experienced sailor. However, I cannot rule out that there was an incident relating to his vessel or that he unexpectedly entered the water and drowned, noting that he was not wearing a lifejacket and a small boat like his could be swamped by waves unexpectedly. Accordingly, there is insufficient evidence for me to be able to be satisfied of a manner of death as he may have died as a result of a natural cause or by accident.
41. Accordingly, I make an open finding as to the manner of death.
42. It is clear that Mr Jennings held a lifelong love of the ocean and he continued to pursue his passion for fishing and boating right to the end. Although it is unclear exactly how he died, there are no suspicious circumstances surrounding his death and he appears to have died suddenly doing what he loved. I hope that is some small consolation to those who knew and loved him.

S H Linton  
Deputy State Coroner  
28 July 2023

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<sup>30</sup> T 10 – 11.