
JURISDICTION : CORONER'S COURT OF WESTERN AUSTRALIA
ACT : CORONERS ACT 1996
CORONER : SARAH HELEN LINTON, DEPUTY STATE CORONER
HEARD : 10 FEBRUARY 2022
DELIVERED : 23 FEBRUARY 2022
FILE NO/S : CORC 1424 of 2021
DECEASED : MCCLOY, VICTORIA LEIGH

Catchwords:

Nil

Legislation:

Nil

Counsel Appearing:

Senior Constable C Robertson assisted the Coroner.

Case(s) referred to in decision(s):

Nil

Coroners Act 1996
(Section 26(1))

RECORD OF INVESTIGATION INTO DEATH

I, Sarah Helen Linton, Coroner, having investigated the disappearance of Victoria Leigh McCLOY with an inquest held at the Perth Coroner's Court, Court 85, CLC Building, 501 Hay Street, Perth on 10 February 2022, find that the death of Victoria Leigh McCLOY has been established beyond all reasonable doubt and that the identity of the deceased person was Victoria Leigh McCLOY and that death occurred on or about 23 November 2019 in waters within the vicinity of Isthmus Bay, Torndirrup National Park, Albany, as a result of an unknown cause in the following circumstances:

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INTRODUCTION

1. On 22 November 2019, Victoria (Tori) McCloy and her partner Geoffrey (Geoff) Bignell, travelled from Northam to Albany for a planned fishing trip. It was understood that they intended to go rock fishing, which they had successfully done before. Rock fishing is a popular activity in the Albany area, although it is also known to be a sometimes dangerous activity that has sadly led to a number of deaths due to people falling, or being washed, from the rocks into the sea.
2. Tori and Geoff were expected to return to Northam on the evening of 24 November 2019. On the morning of 25 November 2019, their families became aware that they had not returned, as planned, and they alerted the authorities. A locally based family member initiated their own search and quickly located Tori and Geoff's car at the Bald Head carpark in the Torndirrup National Park. However, there was no sign of Tori or Geoff.
3. An extensive land and marine search was commenced in the area surrounding the carpark where the car was found, on the assumption that Tori and Geoff may have come into difficulty on land in the national park or had fallen into the water while rock fishing. The search continued over three days until it was suspended on 27 November 2019, without Tori or Geoff being found.
4. Some more searching was conducted the next day, due to some information provided by members of the public, and then on 29 November 2019, a body was discovered by a patrolling ranger at Isthmus Beach West in the Torndirrup National Park. This was within the designated search area for Tori and Geoff. The body was identified via dental records as Geoff. Further searches of the water in that area were conducted, including with the use of WA Police divers, to try to find Tori, but no sign of Tori was ever found.
5. A report was prepared by the WA Police for the coroner in relation to Tori's disappearance. On the basis of the information provided by the WA Police, I determined that pursuant to s 23 of the *Coroners Act 1996* (WA), there was reasonable cause to suspect that Tori had died and that her death was a reportable death. I therefore made a direction that a coroner hold an inquest into the circumstances of the suspected death.¹
6. I held an inquest at the Perth Coroner's Court on 10 February 2022. The inquest consisted of the tendering of documentary evidence compiled during the police investigation conducted into Tori's disappearance, as well as hearing evidence from Senior Sergeant Steven Grant Pollard, who was the Officer in Charge of Albany Police Station at the relevant time and took control of the search for Tori and Geoff.

BACKGROUND

7. Tori was born on 13 August 1997 in Northam, where she lived for most of her life. Tori was an only child, raised by her mother Rachel, with whom she had a close

¹ Section 23 *Coroners Act* Direction of Deputy State Coroner Linton dated 5 October 2021.

relationship. Tori worked for a dental practice and she lived with Geoff and her mother in a home in Northam at the time of her disappearance. Tori was believed to be generally physically fit and well, as was Geoff. They were both employed and had no known financial pressures or major personal issues. They were not drug users or heavy drinkers, so would not have fallen into danger through intoxication.²

8. Tori and Geoff had been together for about two and a half years by November 2019, and by all accounts had a close, loving relationship. Their families described them as spending all their spare time together, which included lots of adventurous outdoor activities such as fishing and hiking. Tori was also a keen computer gamer in her own time.³
9. On Friday, 22 November 2019, Tori and Geoff left Northam for a weekend fishing trip to Albany. They travelled together in Tori's black Holden Barina. They indicated before they left that they planned to camp and fish from a rocky cliff area in Albany, but did not indicate the exact location. Geoff had told his brother Steven that he was excited about the trip as he was hoping to catch a blue groper, which he had tried and failed to catch before.⁴
10. Tori and Geoff had lived in Albany with Tori's aunt, Chrystal McCloy, for several months between March and September 2019 when they were looking for work, so they knew the Albany area quite well. Geoff had not been working during that time, and had spent most of his days fishing. It seems they had worked out their preferred fishing spot was a rocky outcrop on Isthmus Beach, but no one knew that initially when the search first began. Geoff had tried, and failed twice, to catch a blue groper at the same spot.⁵
11. Tori and Geoff also knew about the dangers of rock fishing, having discussed with family on previous occasions the need to wear life jackets and anchoring when fishing in such areas. However, there is no indication Tori and Geoff had purchased their own life jackets for this purpose.⁶
12. Tori's mother Rachel spoke to Tori at about 3.30 pm on the phone and Tori indicated that they were about to leave. Rachel then received a text message from Tori at about 9.30 pm indicating that they had arrived in Albany.⁷ No one from Tori or Geoff's family had any further contact with them.⁸
13. It was later ascertained that a friend of Tori had received a 'Snapchat' photograph from Tori on Saturday, 23 November 2019, sometime at about 11.00 am, although the exact time was not confirmed. The photo showed Geoff holding fishing rods whilst standing on a large rock with beaches on both sides. The description matched

² Exhibit 1, Tab 2 and Tab 9.

³ Exhibit 1, Tabs 2, 3 and 9.

⁴ Exhibit 1, Tab 2 and Tab 5.

⁵ Exhibit 1, Tab 3, 6 and 7.

⁶ Exhibit 1, Tab 2 and Tab 5.

⁷ Exhibit 1, Tab 2 and Tab 4.

⁸ Exhibit 1,

the Isthmus Bay Beach, where the couple's camping gear was later found and where Geoff's body washed ashore.

14. During the police investigation, it was also established through receipts, CCTV footage and witness accounts that Tori and Geoff had been shopping at three stores in Albany to buy fishing gear between 9.30 and 10.30 am on the morning of 23 November 2019, so it is clear that they were both alive that morning. That is the last known time that they were alive.
15. Tori took the contraceptive pill and was known to be very precise about taking it at the same time every day. Her pill packet was found after she went missing, and the last pill taken was Friday, 22 November 2019, which suggests she was not around on 23 November 2019 at the time she would usually take the next day's pill.⁹
16. Members of the public were in the area of Isthmus Beach West, where Tori and Geoff were believed to have last set up camp, early on the morning of Sunday, 24 November 2019, but there was no sign of them.
17. Tori and Geoff were supposed to have driven home to Northam on the evening of 24 November 2019, ready to return to work the following day, but when Geoff's brother Steven messaged him to tell him what time to start work on the Monday morning, unusually Geoff did not reply. When Steven arrived at Geoff's house the next morning at about 7.00 am to pick him up for work, Tori's mother told him that Geoff and Tori weren't home yet. Steven tried to call Geoff's phone, but got no answer, so Steven left for work without him.¹⁰
18. Tori's mother Rachel was becoming increasingly worried about Tori and Geoff so she recalled that at about 8.00 am she called the Albany Police Station to make a missing person report.¹¹
19. Rachel also called numerous family members, including her sister Chrystal, who still lived in Albany. Chrystal drove out to the Bald Head carpark located in Torndirrup National Park. She found Tori's black Holden Barina parked in the carpark, but there was no sign of Tori or Geoff.¹²

INITIAL SEARCH

20. The police records show that the first missing person report was made at 8.43 am on the morning of 25 November 2019. Rachel's mother had gone to work in a distressed state and relayed her concerns to a work colleague, Janine Wallis, who had made the call to Albany Police Station to report the couple missing. Rachel was too distraught by this time to make the call herself. By this time, Chrystal had driven to the carpark and found Tori's car, so the police had some idea of the area that should be searched. Their car was found to be locked and secure and there was various camping

⁹ Exhibit 1, Tab 9.

¹⁰ Exhibit 1, Tab 4 and Tab 5.

¹¹ Exhibit 1, Tab 4.

¹² Exhibit 1, Tab 2.

equipment inside, including pillows, blankets and fishing items and daily medication. It suggested to police that they had intended to return to the vehicle before going to sleep that day, but had not returned as planned.¹³

21. At 10.45 am, a Marine Search and Rescue (MarineSAR) was initiated by police, and at 1.00 am, Senior Sergeant Pollard, the Officer in Charge of the Albany Police Station, was appointed the Police Commander for the search. At the time, Senior Sergeant Pollard was acting as an Inspector for the Great Southern District Office, but I will refer to him for convenience by his usual rank.¹⁴
22. Senior Sergeant Pollard explained at the inquest that the Bald Head car park is situated at the western end of the Flinders Peninsula. There are very steep vertical cliffs and rocky outcrops and little crevices in the walls of the cliffs on the eastern edge. On the southern side, there are two beaches divided by a rock outcrop that protrudes out into Isthmus Bay. The two beaches are known as Isthmus Bay east and Isthmus Bay West. From the knowledge obtained that the couple had gone to the area for the purposes of rock fishing either from the rocks or cliffs, the initial focus of the search was to be on the peninsula itself, in case they had sustained an injury on their way to the rocks. Senior Sergeant Pollard explained that through his local knowledge, he was aware that the trail and rocks can be extremely slippery when wet.¹⁵
23. A volunteer marine search and rescue (VMR) vessel left to do a preliminary search of the coastline at Isthmus Hill Beach East, searching the rocks and cliff faces, at 11.04 am, while the police mobilised the rest of the search team. Rangers from the Department of Biodiversity, Conservation and Attractions (DBCA) began walking the Bald Head track. They spoke to other hikers on the path and confirmed that no one had seen any sign of Tori and Geoff.¹⁶
24. Senior Sergeant Pollard declared the search a Level 2 incident, requiring a multi-agency response under the *Emergency Management Act 2005 (WA)*.¹⁷ Information obtained by police indicated Tori and Geoff had been shopping in Albany on the morning of 23 November 2019 for fishing gear and had returned to the Torndirrup National Park at around 1.00 pm. They had not been seen since and mobile phone triangulation had indicated that Tori's phone had last recorded a 'ping' from a phone tower at 5.07 pm that day from Vancouver Peninsula, a location not that far from the Bald Head area. The police thought it was possible she had been collecting crabs for bait before returning to Bald Head to fish.¹⁸
25. The search proceeded on the assumption that Tori and Geoff had disappeared on the late afternoon of Saturday, 23 November 2019 while fishing off the rocks in the area around Bald Head, which included Salmon Holes and Isthmus Beach. It was noted that the weather was fine on 23 November 2019 but the ocean conditions that day

¹³ T 5; Exhibit 1, Tab 13.

¹⁴ Exhibit 1, Tab 14.

¹⁵ T 6 – 7.

¹⁶ Exhibit 1, Tab 14.

¹⁷ Exhibit 1, Tab 10.

¹⁸ Exhibit 1, Tab 14.

were rough, with a four metre swell. Serious concerns were held for both their safety.¹⁹

26. When police were able to get a description of the Snapchat photograph, they were able to narrow down Tori and Geoff's likely fishing spot to the rocky outcrop between Isthmus Beach East and Isthmus Beach West. All marine assets were then moved to that side of the peninsula.²⁰
27. Tori's Aunt Chrystal and a family friend, Jess Shilcock, spoke to the police Family Liaison Officer on 25 November 2019 to provide additional information that might help in the search for Tori and Geoff. Chrystal explained that Tori and Geoff had been living with her in Albany recently and had told the police that she had seen a relatively recent video of Geoff fishing on a rock ledge that was believed to be at Bald Head. The video was apparently taken on a previous fishing trip to the area and showed Geoff attempting to catch a large fish, thought to be a blue groper, which was pulling Geoff towards the edge. Geoff's fishing rod was broken during the struggle. Other family and friends suggested that Geoff had intended to return to the same fishing spot to try and catch the fish that had broken his rod and got away. It was made clear to the police that Tori and Geoff were both the kind of people who would have put themselves in harm's way to help the other.²¹
28. Police officers viewed the video and confirmed that it was taken on the rocky outcrop on Isthmus Beach, which also supported the conclusion they had returned to that location.²²
29. The search on 25 November 2019 continued until 5.00 pm, when it became unsafe to continue. The plan was to recommence the search at first light.
30. Dr Paul Luckin, who is a medical advisor to the Australian Maritime Safety Authority and has developed expertise in the area of estimating time frames for survival in search situations, was consulted by the WA Police on 25 November 2019 and asked to provide an estimated time frame for survival for Tori and Geoff, based upon the limited known information. Dr Luckin responded at 6.52 pm that evening and agreed that, on the basis of the information available, it was probable that Tori and Geoff had gone into the water on 23 November 2019. Given their last telephone signal was lost at around 5.00 pm that day, Dr Luckin based his estimates on an assumption that they went into the water at around this time. This meant that the time that had elapsed was around 46 hours by the time Dr Luckin was providing his opinion.²³
31. Dr Luckin noted that, assuming the couple had been washed or fallen into the water from the rocks, they were at risk of significant injury in the process of falling or sliding down the rocks. Sudden entry into the cold water would likely have caused an initial gasp response, with a high risk of aspiration of seawater and immediate

¹⁹ T 8; Exhibit 1, Tab 11.

²⁰ T 8.

²¹ Exhibit 1, Tab 9.

²² Exhibit 1, Tab 3.

²³ Exhibit 1, Tab 12.

drowning, particularly if they were injured. Further, upon entering the water they would have been in the impact zone, where the swell hits the rocks and washes backwards and forwards, increasing the likelihood of immediate drowning. Therefore, Dr Luckin considered death from injury and drowning within the first few minutes was quite likely. If they did survive the initial short period following immersion, survival in water of the temperature at that time (approximately 18°C) was limited by hypothermia, exhaustion and dehydration. Therefore, based upon what was known about Tori and Geoff, he estimated Tori's maximum possible survival time was 6-8 hours and Geoff's to have been 8-10 hours. Dr Luckin therefore did not believe either of them could be alive in the water at the time he provided his expert opinion.²⁴

32. In terms of why neither Tori nor Geoff's body had been found during that first day's search, Dr Luckin considered it unlikely they would not have been found if they were washed to shore, but he noted that impact on the rocks may well expel air from the lungs, decreasing buoyancy and causing a body to sink. Subsequent flotation could later occur depending on the gases of decomposition, which in cold water was likely after two days if there was no other intervention by marine creatures or other forces on the body.²⁵
33. A briefing conducted at 7.15 pm on 25 November 2019 discussed that search dogs had indicated a strong scent along Isthmus Beach and onto the rocks, where the scent stopped. A white bucket had been sighted on the rocks in the late afternoon, but it had been washed into the water prior to being acquired and attempts to recover it had been unsuccessful. The white bucket matched the description of a bucket of crabs seen by another fisherman on Isthmus Beach at about 7.00 am on the morning of 24 November 2019. The fisherman told police he had seen two sets of footprints leading to the rock outcrop but no returning steps, and had seen the bucket with crabs in it on the rocks. He had fished in the area for about an hour and seen no other people during that time.²⁶
34. Another member of the public phoned in to police to confirm they had seen Tori's car in the Bald Head carpark at about midday on 24 November 2019.²⁷
35. Police divers had been requested to attend, subject to their availability and an assessment of the ocean conditions. It was planned that a comprehensive land and sea search would continue the next day, noting the possibility that Tori and Geoff's bodies might still come to the surface.²⁸
36. The plan was to recommence the search at 6.00 am on 26 November 2019, using the considerable resources of police, SES, Department of Transport, DBCA, VMR, local life-saving crew and various aerial crafts including the RAC Air ambulance

²⁴ Exhibit 1, Tab 12.

²⁵ Exhibit 1, Tab 12.

²⁶ Exhibit 1, Tab 14.

²⁷ Exhibit 1, Tab 14.

²⁸ Exhibit 1, Tab 14.

helicopter from Bunbury, the Joint Rescue Coordination Control search and rescue aircraft from Perth and a DBCA spotter plane normally used for bushfire season.²⁹

37. Water Police had conducted drift analysis, which matched the estimates made by two local skippers from the Albany VMR, which assisted in identifying appropriate areas to search on the second and third day of the search.³⁰
38. At about 1.00 pm on 26 November 2019, SES land searchers found items on the rocky outcrop where it was believed Tori and Geoff had planned to fish. They found a whole array of fishing equipment, Tori's rock boots and socks and a backpack containing Tori's car keys and Geoff's mobile phone. The gaff hook and rope that Geoff had bought that morning were also there, still in its packaging. Geoff's fishing rod was not located. It appeared to the police that Tori and Geoff had been planning to camp there, but something had occurred prior to them being able to properly set up camp. It was thought that perhaps Geoff had thrown an early line into the water and by chance hooked a fish that had pulled him off balance, or an unanticipated wave had washed him off the rocks, and Tori had gone to his aid and also got into difficulty.³¹
39. On 27 November 2019, in consultation with Tori and Geoff's family, the search was suspended. It was noted the weather and other factors had made the searching very difficult, with one SES team having to be rescued, and further inclement weather was expected. The search was officially suspended at 3.10 pm, pending dive operations when the weather permitted.³²

RESUMPTION OF THE SEARCH ON 28 NOVEMBER 2019

40. The search recommenced the next day as members of the public reported to police that they had seen someone in the water at the Ataturk Channel the previous afternoon. At the time they had thought it might be someone snorkelling, but after becoming aware that people had gone missing in the area, they reported it as they realised it may have been a body.³³
41. Senior Sergeant Pollard arranged a foot search of the area along the banks of the channel, a spotter plane conducted an aerial search and a drone via a local contractor was also used to search the area from the air. Water assets were also sent out to search the water of the channel. Social media and other platforms were used to ask for anyone to come forward who may have been snorkelling in the area the previous day, but no one came forward. Senior Sergeant Pollard gave evidence that it was identified that in that location there was a water depth buoy apparatus that might have appeared to be a person in the water. In the end, the search found no sign of Tori or Geoff. The search was stood down again at the end of the day.³⁴

²⁹ T 8; Exhibit 1, Tab 13.

³⁰ T 8 – 9.

³¹ T 17 – 18; Exhibit 1, Tabs 3, 14 and 28.

³² Exhibit 1, Tab 14.

³³ T 15; Exhibit 1, Tab 14.

³⁴ T 15; Exhibit 1, Tab 14.

DISCOVERY OF GEOFF'S BODY

42. During the early afternoon of 29 November 2019, a ranger from DBCA found a body washed up on Isthmus Beach West, approximately 150 metres from the walk trail on the southern side of Bald Head, that led to the rocky outcrop where Tori and Geoff's property was found.³⁵
43. The ranger notified police and waited with the body until police attended. There were identifying characteristics that suggested it was the body of Geoff Bignell. The body was sent to the State Mortuary, and formally identified via dental records as Geoff. A post mortem examination was performed and the forensic pathologist expressed the opinion the cause of death was consistent with immersion (drowning), which was accepted by Coroner Scaddan in a finding delivered on 3 May 2021. Coroner Scaddan also found that Geoff's death arose by way of accident, based upon the known circumstances.³⁶
44. Prompted by the discovery of Geoff's body, a further search of the area was conducted for any sign of Tori. Senior Sergeant Pollard arranged for marine vessels to go back to Isthmus Bay and search the area, with the benefit of current drift patterns to guide them. Albany VMR, Department of Transport and Albany Surf Life Savers all assisted in this task. The local contractor was again brought in with a drone to search aerially.³⁷
45. Police divers arrived in Albany on 30 November 2019 and they searched the water around the main rocky outcrop on 1 December 2019, but nothing of interest was found. They also dived in the Ataturk Channel, to make sure nothing had been missed.³⁸ The search was suspended indefinitely after this time, pending any further information.
46. On 9 January 2020 and 29 January 2020, a search was conducted, including with the assistance of police divers, at Anvil Beach in Denmark as it was reported that some possible human bones had been found. Nothing of interest was found.³⁹

RECENT POLICE REVIEW

47. On 20 September 2021, an officer from Albany Police Station prepared a final report to the coroner in relation to Tori's disappearance. The author of the report, Senior Constable Cash, indicated that all efforts and considerations were undertaken to try to locate Tori during and after the period from 25 November 2019 to 1 December 2019, but there has been no sighting of Tori since 23 November 2019. The search for Tori was very comprehensive but it is believed she went into the water sometime in the afternoon or evening of 23 November 2019 and, due to various environmental factors, her body has not surfaced. If it had surfaced, the police are confident it would have been found.

³⁵ Exhibit 1, Tab 25.

³⁶ Exhibit 1, Tab 14; *Finding into the death of Geoffrey John Bignell* [2019] CORC 93.

³⁷ T 17.

³⁸ T 19; Exhibit 1, Tab 14.

³⁹ Exhibit 1, Tab 14.

48. As Geoff's body was found, there is more information available to assist in determining what happened to Tori. Noting Geoff was found very close to the makeshift campsite, and he was found to have drowned, the WA Police believe Tori went into the water shortly after her arrival at the campsite on the rocks at Isthmus Beach. Tori and Geoff either went into the water together or one of them went into the water and the other person went to their aid and went into the water after them. There is no suggestion of any criminality in Tori's disappearance. Like Geoff's tragic untimely death, Tori is also believed to have met her death by way of an accident.⁴⁰

CONCLUSION

49. I indicated at the end of the inquest that I am satisfied beyond reasonable doubt that Tori died on or about 23 November 2019. Her death was most likely due to drowning, in the same way as Geoff, but there is insufficient evidence for me to be able to be satisfied of a cause of death for Tori as without her body, I can't rule out that she was injured in some way on the rocks, causing her death. Alternatively, like Geoff, she may have drowned. Although the exact cause of death remains unascertained, I am satisfied that the manner of her death was by way of accident.

COMMENTS ON PUBLIC HEALTH AND SAFETY

50. Tragically, this is not the only recent inquest into a death involving a person who has come to grief while rock fishing in the Albany region. In November 2017, former Deputy State Coroner Evelyn Vicker conducted a joint inquest into the death of Chunjun Li and the suspected death of Jialong Zhang. Both men were rock fishing on 18 April 2015 at Salmon Holes in Torndirrup National Park, not far from where Tori and Geoff went missing, when they were both swept into the sea by a series of waves. Like Tori and Geoff, neither Mr Li nor Mr Zhang were wearing life jackets, although they had attempted to tie themselves either together with a rope, or to a rock with a rope, but not to the available anchor points. In any event, the rope broke from the force of the water. Mr Li was washed onto the beach and bystanders attempted to resuscitate him, but sadly they were unsuccessful. Mr Zhang's body was believed to have been washed out to sea and he was never found.⁴¹
51. Deputy State Coroner Vicker found that Mr Li died as a result of drowning and his death occurred by way of accident. Her Honour also found that Mr Zhang's death as a result of drowning, although she was unable to determine whether serious traumatic injury contributed to that drowning, and his death also occurred by way of accident.⁴²
52. In the course of the inquest, her Honour gave close attention to the issue of public safety when involved in the dangerous activity of rock fishing. It was noted in the finding that the dangers related to rock fishing had already been the subject of intense public awareness campaigns in Western Australia by both Recfishwest and

⁴⁰ Exhibit 1, Tab 2.

⁴¹ *Inquest in the death of Chunjun Li and suspected death of Jialong Zhang*, COR 44/17.

⁴² *Inquest in the death of Chunjun Li and suspected death of Jialong Zhang*, COR 44/17.

DBCA prior to these deaths. Rock fishing was said to be “recognised as the most dangerous sport in Australia and yet is one where participants frequently take minimal precautions for their own safety and so rely heavily on emergency services and volunteers, often in treacherous conditions, when something goes wrong.”⁴³ It was noted in the evidence that there had been other incidents involving rock fishing at Salmon Holes, and other deaths, but none of those lost over the years had been wearing a life jacket.

53. At the conclusion of the inquest, her Honour made five recommendations. A number of the recommendations related to the installation of communications equipment to assist communication in alerting responders to, and coordinating, emergencies, as well as a recommendation in relation to the facilitation of the use of drones within search and rescue operations. However, importantly for this current inquest, the first recommendation was that regulations should be implemented which make it a requirement for rock fishermen to wear life jackets when fishing from rocks subject to wave action and spray on the coast, and also to carry a personal emergency position indicator rescue beacon (EPIRB), also known sometimes as a personal locator beacon (PLB).⁴⁴
54. The use of the PLB was discussed in this inquest as, unlike the attempted triangulation of mobile phones through phone towers, which is often inaccurate and provides a large search area, when a PLB is activated the ability to pinpoint the location is much more accurate as it uses satellite technology. In addition, the emergency distress alert will go through to the Joint Rescue Coordination Centre in Canberra, which is monitored 24/7, so an emergency response will be activated almost immediately. If Tori and/or Geoff had been wearing a PLB at the time they went into the water, they could have activated it and a search would have begun for them on 23 November 2019, not two days later, with a very good chance of finding them. If they were both wearing lifejackets, there was also a much higher chance of finding them alive, although that could not be guaranteed given the dangers presented by the fall, the rocks and the cold water.
55. In 2019, the State Government announced the trial of a life jacket mandate at Salmon Holes in Torndirrup National Park during the salmon fishing season. The trial was monitored by DBCA officers at the rocks. It was determined to be a success, so in December 2021 the State Government announced that the life jacket mandate at Salmon Rocks will continue. As part of the trial, people intending to partake in rock fishing in the Albany area can take advantage of free-loan life jackets at six Albany locations. All it requires is the person to leave a deposit, which is reimbursed upon the lifejacket’s return. The locations included places where Geoff and Tori went shopping on the day they died. Senior Sergeant Pollard confirmed that these options were available and advertised widely at this time.⁴⁵
56. Although the life jackets were, and are, only mandatory at Salmon Rocks (as well as a mandatory requirement for people fishing on the rocks to tether themselves to

⁴³ *Inquest in the death of Chunjun Li and suspected death of Jialong Zhang*, COR 44/17, p. 37.

⁴⁴ *Inquest in the death of Chunjun Li and suspected death of Jialong Zhang*, COR 44/17, p. 67.

⁴⁵ T 10 – 13; [Salmon Holes lifejacket trial \(fish.wa.gov.au\)](https://www.fish.wa.gov.au/); <https://www.abc.net.au/news/2021-12-22/lifejacket-mandate-salmon-holes/100717976>.

anchorage points at this location), the same risks are present at the Isthmus Beach rocky outcrop, and indeed most locations where rock fishing is attempted on the coast. Senior Sergeant Pollard, who is very experienced in coordinating major marine searches and who was a member of the Great Southern Rock Fisherman's Safety Committee while in Albany, expressed the opinion that lifejackets are "extremely essential"⁴⁶ when fishing from any rocks or cliff faces, and even on some of the low-lying beaches backing up to cliff faces. He has had the sad task of telling the families the news, when a loved one is either found deceased or not found at all in these cases, so his opinion comes from a genuine desire to prevent further unnecessary deaths, as well as to preserve the safety of the people who have to go out, in often very challenging conditions, to conduct the search.

57. The recommendation in relation to mandatory PLB's has not yet been taken up by the government, and there are no free loan options available in the Albany area for these devices, but I am aware that the price of them is rapidly decreasing as they become more mainstream, and they should be considered an essential item by all people who are proposing to go into remote locations in Western Australia, even when they are not planning to go rock fishing, but especially if they are planning to go rock fishing. The evidence in this case suggests that wearing lifejackets and PLB's may possibly have saved Tori and Geoff's lives, and certainly at least saved their families the pain of days of searching and never being able to have full closure in relation to Tori.
58. Rachel's mother has put her full support behind the safety campaign to require rock fishers to wear life jackets and she believes the mandatory trial should be expanded along WA's coast for all rock fishing locations. However, it does not yet have the full support of recreational fishers or the State Government.⁴⁷
59. I do not propose to make any additional recommendations in this inquest, as the evidence was far less extensive than was heard in the inquest into the deaths of Mr Li and Mr Zhang. I simply endorse the findings made by Deputy State Coroner Vicker, and note that the dangers have not diminished since her findings were delivered, and the message needs to be heard by the people choosing to undertake these activities that they must put their own safety first, with or without a mandate by the government. I note Ms Vicker's first recommendation covered all fishing from rocks subject to wave action and spray on the WA coast, and included both life jackets and PLB's. They are affordable and potentially life-saving and should be considered as essential to the process as a fishing rod and bait.
60. In her concluding paragraph, Deputy State Coroner Vicker made the heartfelt plea,⁴⁸

On behalf of all those who risk their lives and emotions in these tragic circumstances, please wear life jackets. It may not always save your life but it will help return a better outcome to your families and the community as a whole.

⁴⁶ T 10.

⁴⁷ [Devastated WA mum renews calls for rock fishers to wear mandatory life jackets - ABC News.](#)

⁴⁸ *Inquest in the death of Chunjun Li and suspected death of Jialong Zhang*, COR 44/17, p. 69.

61. It is now too late for Tori to heed that warning, but I sincerely hope that the added knowledge of Tori's death and her mother's grief at being unable to bury her body and put flowers on her grave, others will.



S H Linton
Deputy State Coroner
23 February 2022