

Inquest into the death of Wai Kim Lam

Wai Kim Lam died from drowning on 24 May 2010 whilst snorkelling at Michaelmas Reef, in the waters off Cairns Queensland. It is possible he was 'breath hold' diving at the time of his death. The coroner investigated whether appropriate safety procedures were followed on the Reef Experience on the day of Mr Lam's death.

Coroner Jane Bentley delivered her findings of inquest on 11 August 2014.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported. Further information relating the implementation of recommendations can be obtained from the responsible agency named in the response.

Recommendation 1

That the Office of Fair and Safe Work Queensland request Hostel Reef Trips Pty Ltd, Reef Encounter Enterprises Pty Ltd, John Heuvel, and/or John Van Den Heuvel permit Office of Fair and Safe Work Queensland inspectors to conduct a comprehensive audit of all vessels used and/or owned by those entities for recreational diving and snorkelling activities on the Great Barrier Reef and that such audit include inspectors travelling on the vessels during usual trips to the reef in order to conduct such an audit and should such a request be refused or inspectors obstructed in their audits in any way that such information be provided to the Australian Marine Safety Authority and Great Barrier Reef Marine Park Authority.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Treasury.

On 12 September 2015 the Treasurer, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships responded:

Inspectors from the Office of Industrial Relations Queensland assessed three vessels operated by the entities referred to in the recommendation between October and December 2014. The entities' operations manager accompanied the inspectors during the assessments. All crew members were cooperative and the inspectors were not impeded in any way.

All three vessels were assessed to have in place systems that complied with the relevant legislation. No improvement, infringement or prohibition notices were issued for a failure to comply with requirements.