

Inquest into the death of Leila Michelle Trott

Ms Trott was the skipper of a tourist vessel which was moored off Green Island. A smaller tender vessel was attached to the sailing vessel and came adrift. Ms Trott decided to swim to another vessel to try and retrieve the tender. She was swimming strongly and was nearing the other vessel when she was last seen. Possibly due to the physical stress involved in the swim, she suffered a cardiac arrhythmia, probably became unconscious and drowned.

Deputy State Coroner John Lock delivered his findings of inquest on 16 March 2017.

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.

The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating the implementation of recommendations can be obtained from the responsible minister named in the response.

Recommendation 1

Workplace Health and Safety Queensland, Marine Safety Queensland, Australian Marine Safety Authority and the Queensland Police Service consider closer inter-agency cooperation and review the circumstances of this death and the involvement of their respective agencies, and determine whether further action should be taken to update any existing memoranda of understanding and/or provide further training to their staff in relation to their operation.

Response and action: the recommendation is implemented.

Responsible agency: The Office of Industrial Relations (lead) supported by the Queensland Police Service.

On 9 August 2017 the Queensland Government responded:

Representatives from the Office of Industrial Relations (OIR), Queensland Police Service (QPS) and Maritime Safety Queensland (MSQ) met in March 2017 to address the coroner's recommendation.

A current memorandum of understanding exists between OIR and MSQ. However, as the coroner noted, the MOU's between Australian Marine Safety Authority (AMSA) and MSQ with state workplace health and safety agencies do not include activities associated with domestic commercial vessels operating only in Australian waters, such as the vessel Ms Trott was skippering. The government will progress amendments to the memorandum of understanding to include regulation of domestic commercial vessels.

The government will also review and consider amending the scope of the memorandum of understanding to include QPS.

The OIR and QPS will attend quarterly compliance meetings facilitated by MSQ to enhance inter-agency cooperation.

On 20 December 2018 the Minister for Education and Minister of Industrial Relations and the Minister for Police and Minister for Corrective Services responded:

MSQ was originally identified as a supporting agency because it has historically performed service delivery and operational functions under the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* (National Law) as a delegate of the Australian Maritime Safety Authority (AMSA) since commencement of the national system in July 2013. However, as of 1 July 2018 the AMSA assumed full service delivery responsibilities for the National Law and MSQ is no longer responsible for these functions in Queensland.

On 17 August 2018 a new memorandum of understanding between the Department of Education (Office of Industrial Relations) and the AMSA was signed by the Deputy Director-General at OIR and Chief Executive Officer at AMSA. The purpose of the MOU concerns safety in and around maritime workplaces in Queensland and sets out the guidelines under which OIR and AMSA will respond to maritime workplace incidents on ships, domestic commercial vessels and wharves in Queensland.

On 12 July 2018, a revised memorandum of understanding between the Department of Education (Office of Industrial Relations) and the Queensland Police Service was signed by the QPS deputy commissioner (regional operations) and deputy director-general at OIR. The purpose of the MOU is to build on an established professional relationship clarifying specific working arrangements, roles and responsibilities between both parties at times of workplace incidents resulting in serious injury, illness or death.

The memoranda are published on the OIR [website](#).