



MAGISTRATES COURT *of* TASMANIA

CORONIAL DIVISION

Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Simon Cooper, Coroner, having investigated the suspected death of Stanley William Wood

Find, pursuant to Section 28(1) of the Coroners Act 1995, that

- a) The identity of the deceased is Stanley William Wood;
- b) While satisfied that Mr Wood is dead, I am unable to determine the circumstances of his death;
- c) I am unable to determine the cause of Mr Wood's death; and
- d) Mr Wood died between 26 and 31 December 2020, in the waters of Bass Strait whilst en route from Eden, New South Wales to Deal Island, Tasmania.

What a coroner does

1. The investigation of deaths in Tasmania is governed by the *Coroners Act 1995* (the Act). Section 21(1) of the Act provides that “[a] coroner has jurisdiction to investigate a death if it appears to the coroner that the death is or may be a reportable death.”
2. ‘Death’ is defined in section 3 of the Act as including a suspected death. ‘Reportable death’ is defined in the same section as meaning, *inter alia*, a death which occurred while the person was travelling to Tasmania and was unexpected or the cause of which is unknown.
3. Thus if a coroner suspects, on reasonable grounds, that a person has died and the death meets the definition of a reportable death, then that coroner has jurisdiction to investigate.

4. For reasons which will become apparent in this finding, I am satisfied that Mr Wood is dead and jurisdiction exists to investigate the disappearance in the Bass Strait of Stanley William Wood.
5. When investigating any death, whether or not an inquest is held, a coroner performs a role very different to other judicial officers. The coroner's role is inquisitorial. She or he is required to thoroughly investigate a death and answer the questions, if possible, that section 28 of the Act asks. These questions include who the deceased was, the circumstances in which he or she died, the cause of the person's death and where and when the person died. This process requires the making of various findings, but without apportioning legal or moral blame for the death.¹ A coroner is required to make findings of fact from which others may draw conclusions.² A coroner is also able, if she or he thinks fit, to make comments about the death or, in appropriate circumstances, recommendations to prevent similar deaths in the future.

Background

6. Mr Wood was born on 3 October 1934 in San Francisco, California, USA. He was an Australian citizen. At the time of his death he was a widower with no natural children, although he had a stepdaughter with his wife Eva. Eva died five years before Mr Wood disappeared. It is apparent that her death was a great blow to him.
7. The evidence is that for his age – 86 years – Mr Wood was in very good health.
8. At the time of his wife's death, Mr Wood was living in St Helens on Tasmania's East Coast.
9. In 2020, he sold his home at St Helens, placed all his possessions in storage with two friends and travelled to Cairns, Queensland where he purchased a yacht.
10. The yacht - the Munyana - was a 60ft ketch rigged hard chine motor sailer. Mr Wood reportedly paid \$261,000 for the boat. It was not registered and, whilst fitted with various items of safety equipment, the safety equipment was all obsolete.
11. In any event, Mr Wood left Cairns and began to make his way, single-handed, down the East Coast of Australia. The evidence is that Mr Wood had difficulty with various

¹ See *R v Tennent; Ex parte Jaeger* [2000] TASSC 64, per Cox CJ at paragraph 7.

² See *Keown v Khan* [1998] VSC 297; [1999] 1 VR 69, per Calloway JA at paragraphs 75 – 76.

pieces of the yacht's equipment including the auto helm, the VHF radio and the sails - although the precise nature of the difficulties experienced in relation to the latter is unclear.

12. By about 19 December 2020, Mr Wood had reached the port of Eden on the far South Coast of New South Wales.

Circumstances of Mr Wood's disappearance

13. At around 8.00am on 26 December 2020, Mr Wood contacted his friend Mr Bryan Webb by mobile telephone. Mr Wood told Mr Webb he was leaving Eden and heading toward Green Cape before making his way to Deal Island in Bass Strait.
14. The two men spoke again at about midday the same day. In that conversation, the last known conversation Mr Wood had with anyone, he told Mr Webb he could see Gabo Island and, that the sea was getting rough, the winds were increasing, and he was having difficulty maintaining control of the vessel. Mr Wood told Mr Webb he was unable to get the sails down. He told Mr Webb that, notwithstanding the difficulties he was experiencing, his yacht was holding its course and that he expected to arrive at Deal Island within 48 hours.
15. Nothing further was heard from Mr Wood. On 31 December 2020, concerned for his friend's welfare, Mr Webb contacted Tasmania Police and reported him missing.

The search for Mr Wood

16. An immediate search for Mr Woods was commenced involving Commonwealth, Victorian, and Tasmanian authorities. The Mynyana was located later that evening by a search aircraft approximately 70 miles north of Whitemark, Flinders Island. The vessel was drifting with unfurled sails. There was no sign of Mr Wood.
17. Personnel from Victoria Police were eventually able to board the yacht. There was no sign of Mr Wood. It was noted that the vessel's tender and life raft were both still on board. The yacht was taken to Deal Island for further examination. Notably, the vessel's engine started easily and ran well.
18. No signs of violence or a struggle were identified on the yacht.
19. No sign of Mr Wood was found then or subsequently.

Investigation

20. After the stop at Deal Island, the *Munyana* was taken to Flinders Island for further forensic and specialist examination. An interrogation of the chart plotter fitted to the vessel showed its course was erratic after rounding Green Island, suggesting that it was no longer manned.
21. A specialist forensic examination of the vessel did not find any evidence giving rise to any suspicion in relation to Mr Wood's death. Specifically, there is no evidence to suggest the involvement of any other person in his death.
22. The vessel was inspected by an experienced Marine Surveyor, Mr Peter Keyes. I have had regard to Mr Keyes' report, as well as photographic evidence obtained by investigators.³ I particularly note Mr Keyes' observation that whilst various items of safety equipment were on-board "including a selection of hand flares, portable fire extinguishers and a life raft... all equipment was out of date including the life raft which required servicing [by] August 2012."⁴
23. Mr Keyes also observed that the *Munyana* is a "large and heavy vessel and its operation offshore single-handed in the best of condition[s] would tax the fittest person."⁵
24. Subsequent investigation pursuant to the provisions of the *Coroners Act 1995* suggest that Mr Wood ran aground, probably twice, as he was entering ports on the East Coast of Australia after leaving Cairns.

Conclusion

25. I am satisfied on the evidence that Mr Wood is dead. It seems most likely that he fell from his vessel into the waters of Bass Strait, somewhere in the vicinity of Green or Gabo Island, sometime after about midday on 26 December 2020. I cannot determine whether he drowned or succumbed to the effects of hypothermia.
26. It is apparent that Mr Wood was not secured to the *Munyana* by means of a harness or tether to a fixed point or jack stay. I say this for the simple reason that if he had been, then he could not have left the vessel.

³ Kedge Marine Report 19 February 2021, in particular page 13 of 21.

⁴ Kedge Marine Report, page 12.

⁵ Kedge Marine Report, page 13.

27. Because his body was not located, it seems unlikely that Mr Wood was wearing a Personal Flotation Device (PFD), although I cannot be sure about this. If he had been wearing a PFD, then he may have survived long enough to be rescued after he entered the water.
28. In addition, there is no evidence that he owned or had registered a Personal Locating Beacon (PLB) and certainly one was not activated. If Mr Wood had a PLB with him when he entered the water, then there is a reasonable possibility that he may have survived whatever mishap befell him.
29. The vessel that Mr Wood was attempting to sail, ultimately unsuccessfully, single-handed from far north Queensland to Tasmania was evidently far too much for him to handle.

Comments and recommendations

30. The circumstances of Mr Wood's death require me to **recommend** pursuant to Section 28 of the *Coroners Act 1995* that all persons operating vessels, either single or shorthanded, offshore carry at all times a registered Personal Location Beacon.
31. I further **recommend** that all persons operating recreational vessels of any size in any circumstances wear a properly fitted and compliant Personal Flotation Device.
32. I convey my sincere condolences to the family and loved ones of Mr Wood.

Dated 3 February 2022 at Hobart in the State of Tasmania.

Simon Cooper
CORONER