

SOUTH



AUSTRALIA

FINDING OF INQUEST

An Inquest taken on behalf of our Sovereign Lady the Queen at Adelaide in the State of South Australia, on the 2nd and 22nd days of February, 2001, before Wayne Cromwell Chivell, a Coroner for the said State, concerning the disappearance of Cameron Smeaton Bayes.

I, the said Coroner, find that Cameron Smeaton Bayes, aged 25 years, late of 12 Juliette Place, Forrest Hill, Auckland, New Zealand, died at Cactus Beach, near Point Sinclair, South Australia on the 24th day of September, 2000 as a result of multiple injuries. The circumstances of death were as follows:-

1. Cameron Smeaton Bayes disappeared on Sunday 24th September 2000. He had been surfing at Cactus Beach, which is on the far West Coast of South Australia.
2. Section 12(1)(e) of the Coroners Act, 1975 empowers me to conduct an inquest into “the disappearance from, or within, the State of any person.” I am satisfied that I have jurisdiction to conduct an inquest into the disappearance of Mr Bayes.
3. Cameron Bayes and his wife Tina-Marie arrived at Cactus Beach on the 23rd September 2000. Mrs Bayes said that on 24th September 2000, her husband went surfing at about 6.15am (exhibit C2a, page 1).
4. Mr Jeffrey Hunter was sitting on a platform on a sandhill at Cactus Beach at between 7.15am and 7.30am that morning, watching a lone surfer, who was

obviously Cameron Bayes, about 70 to 80 metres from shore. Mr Hunter's statement reads:-

"I looked at this man and saw a shark coming out of the water around him, it was thrashing on and around the man. Its head was shaking from side to side and thrashing in a circular motion, there was a bit of blood in the water. I could see the man and the shark at the same time and then they both went under the water. Where it was happening it just looked like it was all shark, I couldn't even see the surfboard.

The man came up, I only saw his head and body, he seemed to be back on his board and started paddling. He made about three metres and then the shark went for him again, the shark was thrashing and shaking its head, there was a lot of blood. The shark seemed to take him underwater and there were only a couple of bits of board left. It took him under, and there was a bit more thrashing under the water.

A couple of minutes later I saw it surface about 500 metres out, it thrashed again and released the main bit of the board. It rolled over and I could see the underside of the shark, it was clearly white, the top part of the shark was a dark grey. The main part of the board floated towards Caves.

Conditions at the time were overcast, no wind, misty with a three to four foot swell. I know from surfing this beach that the water where the attack occurred is about two metres deep. I would estimate the shark was between four and five metres long."

(exhibit C4a, pages 1 - 2)

5. Mr Hunter's son Harry, then aged eleven, also witnessed the attack (see exhibit C3a).

6. Harry Hunter ran into the camping area and raised the alarm. Mr Peter Ryan and several others ran to the top of the sandhill and saw the shark rolling over and “a big spurt of blood” (exhibit C5a). Mr Trevor Prow also saw the shark thrashing and what he thought was the upper torso of a person in its mouth. He added:-

“I have been a professional fisherman for thirteen years and know the shark was a white pointer about sixteen to eighteen feet long.”

(exhibit C6a, page 1-2)

Dallas Power (exhibit C7a) and Bruce Martin (exhibit C8a) made similar observations.

7. Mr Bayes’ disappearance was reported to the police by telephone at Ceduna who alerted Senior Constable Brenton Philps at Penong, about 25 kilometres away. Mr Philps promptly attended at Cactus Beach and obtained statements from the previously mentioned witnesses. He also took possession of three large pieces of Cameron Bayes’ surfboard which had been collected by the witnesses.
8. Senior Constable Philps organised a search by boat of the general area, although this was difficult in the area of the attack due to the two metre swell.
9. Sergeant PA Heaft of Penong Police Station attended at Cactus Beach and coordinated the subsequent search efforts. Throughout that afternoon and for the following three days the area was searched thoroughly by four wheel drive, motor cycle and on foot, but no further items of significance were found.

10. The fragments of surfboard were subsequently examined by Dr Helen James, Forensic Odontologist. Dr James' report is exhibit C1a. Her conclusions were as follows:-

“The three pieces of surfboard labelled CB1, CB2 and CB3 are considered to belong to the same surfboard. The marks found on and adjacent to segment CB3 and the leg/wrist rope attached to piece CB2 are consistent with marks produced by the teeth of a shark. The indentations are triangular in shape, and the scrape marks are consistent with having been made by serrated teeth, which are both features of the teeth of the White Pointer or Great White shark. It is not possible to determine the size of the shark from these marks.”

(exhibit C1a, page 2)

11. In view of the evidence, particularly the evidence of Mr Hunter, I have no doubt that Cameron Bayes died as a result of a shark attack. Having regard to his evidence, the shark in question must have been an extremely large one. It is not surprising that Cameron's body, or even a part thereof, has not been recovered. The precise cause of his death cannot be ascertained, although it was obviously due to multiple injuries.

12. **Recommendations**

For the reasons I have outlined in my findings following the inquest into the death of Jevan Wright (Inquest Number 1/2001), I make no recommendations pursuant to Section 25(2) of the Coroners Act.

Key Words: disappearance; shark attack

In witness whereof the said Coroner has hereunto set and subscribed his hand and

Seal the 2nd day of February, 2001.

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Coroner