



## FINDING OF INQUEST

*An Inquest taken on behalf of our Sovereign Lady the Queen at Adelaide in the State of South Australia, on the 29<sup>th</sup> day of September 2015 and the 18<sup>th</sup> day of August 2016, by the Coroner's Court of the said State, constituted of Mark Frederick Johns, State Coroner, into the death of Samuel Zachary Kellett.*

*The said Court finds that Samuel Zachary Kellett aged 28 years, late of 4/60 Kenilworth Road, Parkside, South Australia died at Goldsmith Beach, Edithburgh, South Australia on the 8<sup>th</sup> day of February 2014 as a result of injuries sustained in a shark attack. The said Court finds that the circumstances of his death were as follows:*

### **1. Introduction**

1.1. Samuel Zachary Kellett, aged 28 years, died on 8 February 2014. Mr Kellett was an avid spear-fishing and diving enthusiast. On the weekend of Sunday, 9 February 2014 Mr Kellett and some fellow spear-fishing enthusiasts were to take part in the Yorke Peninsula Classic Spear Fishing Competition.

### **2. The events of 8 February 2014**

2.1. At approximately 9:30am on Saturday, 8 February 2014 the group arrived at Goldsmith Beach. Due to the rugged nature of this particular piece of coastline it is rarely used by beachgoers.

2.2. They began preparation for their dive, donning a two-piece camouflage wetsuit, weight belt, fins, snorkel and mask, spear-gun and float line. Mr Kellett equipped himself with an orange coloured Rob Allen float with a float line. The float had a blue and white flag, a stringer line and a drop attached to it. Approximately three hours into the dive the wind began to pick up significantly. Mr Kellett and the rest of the group decided to

swim back towards the high water mark near where their vehicles were parked. The group was swimming on the surface towards shore in about 5 to 6 metres of water. Mr Kellett's two friends were slightly ahead of him. Mr Raymount, one of his diving companions, heard a scream and looked across the surface of the water. He saw a shark thrashing about in the exact spot where he had seen Mr Kellett only moments earlier. Mr Raymount stated as follows:

‘After I saw the fish thrashing I looked under the water and saw the shark. From what I saw I assumed the shark had Sam, I didn’t see Sam, however it was in the exact position that I had last seen Sam. It was thrashing and moving around a bit. I saw the shark vertical with its tail towards the bottom and its head near the surface.’<sup>1</sup>

2.3. Mr Aaron Whitaker, another diver, gave the following account:

‘As we were swimming in I was on the surface and heard Wyatt yell out to me. I just heard him yell, I didn’t hear what he said. It made me turn around back out to sea and as I turned around I saw the tail of a shark come out of the water and it was thrashing around. The tail was about five (5) metres away from me. I saw Wyatt right behind me and where I saw the tail was about the same distance as where I saw Sam just moments before. The tail disappeared beneath the surface.

I was looking behind me out to sea where I had seen the tail. I would swim and kick a couple of strokes then look back again to make sure the shark wasn’t coming for me. After the tail thrashing it was maybe five (5) seconds that I noticed a shadow under the water behind me. I thought it was a shark at first. The shadow was only about five (5) metres behind me.

I put my face under the water to see the shark but couldn’t see it. All of a sudden a white pointer shark came out of the murky water, vertically towards the surface just behind me and it almost launched itself out of the water.

I saw it grab something but because it was maybe five (5) to seven (7) metres away it was at furthest that I could see with the visibility in the water I couldn’t make out what the shark had grabbed. After the shark came up I saw a lot of blood in the water. I saw the shark right near Sam’s float and I knew Sam was at his float when I first saw the shark. Although I didn’t actually see the shark grabbing Sam I am sure that the shark took him judging by how close the shark was to his float.’<sup>2</sup>

2.4. Nicholas Carlson was another member of the group:

‘At about 11:45am I was about fifty (50) metres out from the beach and I had a couple of friends around me in the water. Sam Kellett was a bit further out near a buoy about 20-25 metres out further from my point. I was floating near the surface of the water when I could hear yelling while I was under the water. I couldn’t tell what was being said at all. I surfaced facing south and saw the back of a tail thrashing side to side in the water. It was

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<sup>1</sup> Exhibit C2

<sup>2</sup> Exhibit C3

causing big splashes of water at the time. The tail was grey in colour. At first I thought it was a dolphin because I had seen a few during our dive.

I can't remember how long the tail was thrashing for but it wasn't long and then I saw the whole body of a shark so I saw the whole body jump out of the water. I think the shark was about five (5) metres long and it was a dark grey colour. It looked like a great white shark. It all happened so fast. When the shark went to dive back down it made large splashes and the water all around was bright red like blood. I didn't see Sam at all during the attack. After the shark disappeared the blood still remained in the water and Sam was nowhere to be seen.<sup>3</sup>

- 2.5. Later in that day police Water Operations members conducted a dive search in a circular search pattern in the immediate vicinity. During the search they located two weight ingots used in free diving. They also located a Rob Allen spear-gun which was still loaded. The spear-gun has been confirmed as that used by Mr Kellett.
- 2.6. Those items had readily discernible serrated incisions upon them. These markings have been examined by Mr Russ Bradford<sup>4</sup>. He holds a Bachelor of Science with Honours in Marine and Antarctic Sciences and he has been working with Mr Barry Bruce, a leading shark expert, researching white sharks for about the past decade. He concluded that the marks were consistent with white shark teeth impressions. No human remains have ever been located.

### **3. Conclusion**

- 3.1. In the circumstances I have no hesitation in finding that Mr Kellett was attacked by a shark on 8 February 2014, in the region of Goldsmith Beach and that he died as a result of the attack.

*Key Words: Shark Attack*

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

*Seal the 18<sup>th</sup> day of August, 2016.*

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*State Coroner*

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<sup>3</sup> Exhibit C6

<sup>4</sup> Exhibit C9