



FINDING OF INQUEST

An Inquest taken on behalf of our Sovereign Lady the Queen at Adelaide in the State of South Australia, on the 23rd day of March and the 8th day of December 2021 and the 21st day of April 2022, by the Coroner's Court of the said State, constituted of Anthony Ernest Schapel, Deputy State Coroner, into the deaths of Lennel Roy Vandeeper, Annette Patricia Vandeeper and Douglas Peter Vandeeper..

The said Court finds that Lennel Roy Vandeeper aged 56 years, late of 213 Vandeeper Road, Keilira, South Australia died at sea, off Cape Jaffa in South Australia on the 12th day of December 2016 as a result of exposure to the sea.

The said Court finds that Annette Patricia Vandeeper aged 56 years, late of 213 Vandeeper Road, Keilira, South Australia died at sea, off Cape Jaffa in South Australia on the 12th day of December 2016 as a result of exposure to the sea.

The said Court finds that Douglas Peter Vandeeper aged 27 years, late of 213 Vandeeper Road, Keilira, South Australia died at sea, off Cape Jaffa in South Australia on the 12th day of December 2016 as a result of exposure to the sea.

The said Court finds that the circumstances of their deaths were as follows:

1. Introduction

1.1. These are the Court's findings in relation to an inquest into the disappearance of three persons. Lennel (Len) Roy Vandeeper, aged 56, his wife Annette Patricia Vandeeper, aged 56, and their son Douglas Peter Vandeeper, aged 27, have not been seen, heard from or heard of since 12 December 2016. In these findings I will occasionally refer to

the three missing persons collectively as the Vandepeters. I indicate that I have given separate consideration to the individual fates of those three persons.

- 1.2. The Vandepeters occupied farming property situated at Keilira in the South-East region of the State. Len Vandepeter, Annette Vandepeter and Douglas Vandepeter lived on that property. Douglas lived with his partner Ms Rachel Savage. Len Vandepeter's brother, Angus Vandepeter, also lived on that property albeit in a separate residence.
- 1.3. Len Vandepeter, Annette Vandepeter and Angus Vandepeter were in a partnership trading as PS & KE Vandepeter. They farmed cattle on the Keilira property which had been owned by the Vandepeter family since 1953.
- 1.4. On the morning of 12 December 2016 a boat, believed to have had the Vandepeters on board, was launched from the Cape Jaffa marina. It failed to return to Cape Jaffa or to anywhere else. There is no reliable evidence that the boat was ever seen again. The boat was a 7 metre 1992 model Quintrex Yellowfin. The boat had an aluminium hull and a blue canopy. The boat was owned by Douglas Vandepeter's brother, Angus. The boat was equipped with safety equipment including EPIRB, flares, GPS, two marine radios and lifejackets. The boat was in good condition and was not insured. It had a Yamaha two-stroke 200 horsepower outboard motor.
- 1.5. While the boat itself has never been discovered since it was launched on 12 December 2016, some of the equipment that was on the boat was washed onto the shore in that region. No communication was made from the boat by way of EPIRB, radio or mobile phone before it disappeared. The vehicle and trailer that conveyed the boat to the Cape Jaffa marina were located in the marina carpark. Whoever parked this combination at that location failed to return to collect it.
- 1.6. No human remains have ever been located that could be linked to the Vandepeters.

2. Circumstances surrounding the disappearance of the Vandepeters

- 2.1. The weather on 12 December 2016 at 8am involved north to north-east winds from 10 to 14 knots changing to north and then north-west in the midmorning. The winds that day peaked at 1:30pm at 19 to 25 knots north to north-west before slowly dropping in the mid to late afternoon. There was a south-west swell of 1.5 metres and the high tide was at 12:12pm, with a low tide that day at 5:32pm.

- 2.2. At the time with which this inquest is concerned Angus Vandeppeer was planning to sell the boat. On Sunday 11 December 2016 Len Vandeppeer spoke to his brother Angus and asked to use the boat to go sightseeing before it was sold. Len told Angus that he wanted to inspect the damage that had been caused around the Cape Jaffa area due to recent weather. He also wanted to see the Margaret Brock Reef and to possibly fish. Angus checked the forecast. It was for good weather. He agreed to allow his brother to use the boat the following day. Angus Vandeppeer understood from Len that Len would be taking the boat out the following day with his wife Annette and son Doug.
- 2.3. Angus Vandeppeer made a number of witness statements in relation to this matter.¹ Angus Vandeppeer states that his brother Len had a boat licence, but did not have a great deal of boating experience in the years before his disappearance. He states that it was a rare thing for Len, Annette and Doug to go out on the boat. He states '*I can't remember the last time they had done that*'.² He agreed to allow his brother to take the boat out the following day.
- 2.4. In the first of Angus Vandeppeer's statements dated 13 December 2016 he asserted that at approximately 9:30am on 12 December 2016 Len, Annette and Douglas Vandeppeer left the Keilira property in Len Vandeppeer's 4WD Toyota Landcruiser which was towing Angus' boat and trailer.
- 2.5. The boat was not kept at the Keilira property, but was kept in a shed at an unoccupied house in Kingston that belonged to Angus and Len Vandeppeer's mother. Kingston is approximately 54 kilometres from the Vandeppeer's property. The Cape Jaffa marina is about 21 kilometres south of Kingston. There is some inconsistency in the various affidavits signed by Angus Vandeppeer about whether on Monday 12 December 2016 he actually saw the Vandeppeers leave the Keilira property. Whereas Angus Vandeppeer originally told police that the three Vandeppeers had left the property at approximately 9:30am that day in Len's 4WD towing the trailer and boat. In his second affidavit, which was drafted on 10 August 2017, he states that he does not remember seeing them leave, but that if he said so in his first statement then he must have seen them. He did reiterate in this second statement that it had been his understanding that his brother Len would be taking his wife Annette and his son Douglas on the boat the following day.

¹ Exhibits C3, C3a and C3b

² Exhibit C3a

In his third affidavit³ dated 4 March 2018, Angus Vandeppeer attempts to clarify that although he had stated in his first affidavit that he saw the Vandeppeers towing the trailer and boat, this is incorrect in that the boat and trailer were stored at their mother's premises in Kingston, which as stated above is in fact correct. He states that he could not recall whether he saw the Vandeppeers on the morning of 12 December 2016.

- 2.6. On Tuesday 13 December 2016 Angus Vandeppeer was expecting to see his brother Len at 8am to load cattle onto a truck for sale. However, Len Vandeppeer did not arrive. Angus then rode his motorbike to Len's house. He could see that Len's Landcruiser was not in the garage. The family were not at home. Angus tried calling their mobile phones without success. He then called Douglas' partner Rachel who said that she had not stayed home that night. Angus spoke with Lindsay Gilchrist, the manager at the Cape Jaffa marina, and was told that there was a white Landcruiser wagon with a trailer parked at the marina car park. These were his brother's car and Angus' boat trailer. Angus Vandeppeer then called the police.
- 2.7. While the inconsistencies in Angus Vandeppeer's statements superficially might be thought to be puzzling, I do not believe there is anything sinister in them. The facts remain that on 13 December 2016 Len Vandeppeer's Landcruiser and Angus Vandeppeer's trailer were both found uncollected at the marina and that the boat and the Vandeppeers were never seen again. In the course of this inquest Angus Vandeppeer addressed me from the body of the Court, but not on oath. He said that he was satisfied that the Vandeppeers were in fact deceased.
- 2.8. The fact that the boat was not housed at the Keilira property casts doubt on Angus Vandeppeer's original assertion that he saw all three Vandeppeers leave the Keilira property together towing his boat on the morning of 12 December 2016. I think Angus Vandeppeer accepts that. It is theoretically possible that Len and Annette Vandeppeer collected the boat from Kingston and returned to Keilira to pick up Douglas and that this explains what Angus Vandeppeer originally said he saw at about 9:30am on the morning in question. It is possible that he did see them at that time but I cannot be satisfied to the necessary degree about that. However, I am satisfied that Angus gave his brother Len permission to use his boat the following day, that he understood from information given to him by Len that Len, Annette and Douglas Vandeppeer would all

³ Exhibit C3b

be going out on the boat the following day and that he genuinely believes that the three Vandepers are all deceased.

- 2.9. Rachel Savage was the partner of Douglas Vandeeper. According to her affidavit⁴, at 7:15am on 12 December 2016 she left for work and said goodbye to Douglas before leaving. He did not say anything to her about going out on the boat. Ms Savage worked in Naracoorte that day. That night she stayed in Naracoorte with her mother who resided in that town. Ms Savage attempted to contact Douglas by phone at 7:30pm and 10:30pm. She messaged him. Douglas did not respond. Ms Savage did not become aware of the fact that Douglas was missing until the following morning.
- 2.10. Lindsay Gilchrist is the marina manager for the Cape Jaffa anchorage. In his police statement taken on 14 December 2016 he asserts that at about 7:45am on 12 December 2016 he attended the newsagency in Kingston to pick up some papers.⁵ He states that as he was leaving the newsagency he held the door for Len and Annette Vandeeper, said hello and spoke briefly to them about the weather. He did not see a vehicle or a boat hitched to any vehicle in the vicinity. Mr Gilchrist states that between 10:30 and 11:00 that morning he saw a boat at the boat ramp pontoon at the Cape Jaffa marina. He says that it was a white Quintrex. He noticed only one male person on the boat. He could not identify that person. The following morning Mr Gilchrist noticed a white Landcruiser and trailer parked in the marina carpark. They belonged to Len Vandeeper and Angus Vandeeper respectively. He would later that morning speak on the phone to Angus Vandeeper about these vehicles.
- 2.11. In a subsequent statement taken on 23 July 2021⁶, Mr Gilchrist asserts that he now remembered two important details from the morning of 12 December 2016. Firstly, he asserts that he remembers seeing a white Quintrex boat attached to a vehicle parked at the boat ramp that morning. A female person whom he recognised as Annette Vandeeper was standing to the rear port side of the boat. There was a male person with her whom he did not recognise. In this statement Mr Gilchrist clarifies that in his first statement he had only assumed that the male person whom he had seen with Annette Vandeeper at the Kingston newsagency was her husband Len and in fact he had not been familiar with her husband. When he saw the male person at the marina he did not

⁴ Exhibit C7

⁵ Exhibit C4

⁶ Exhibit C4a

recognise that person. On Mr Gilchrist's statements it is unclear whether the male person at the marina was the same male person whom he had seen with Mrs Vandeeper at the newsagency, but there is nothing in Mr Gilchrist's statements that would preclude the male person seen by him in the two locations being the same person and that this person was Len Vandeeper. Mr Gilchrist does not say anything about seeing a younger male person with Annette Vandeeper at any stage.

- 2.12. I now refer to Fisheries Department CCTV footage of activity at the Cape Jaffa marina taken on 12 December 2016 that was tendered to the Court.⁷ I have viewed this footage repeatedly. Unfortunately it is indistinct and is taken from a distance, but it is clear enough for certain conclusions to be drawn when considered with other evidence. The footage depicts a vehicle towing a boat arriving at the Cape Jaffa marina at 10:23am. The boat is launched into the water at or around 10:29am and the boat sets off at 10:33am. The white vehicle seen in the footage is highly consistent with Len Vandeeper's white Landcruiser. The vehicle can be seen to be towing a boat of similar appearance to Angus Vandeeper's boat. The boat is on a trailer attached to the white vehicle before launching. During the launching process some human activity near the vehicle and trailer can be detected. But the footage is too indistinct to enable conclusions to be drawn as to identity, number of persons and gender. However, after the boat is launched the vehicle and trailer combination is seen to be driven away from the boat ramp in the direction of the marina carpark. It then disappears off the screen. Minutes later an indistinct figure can be seen to emerge onto the screen from the direction of the carpark and walk towards the launched boat. The timing of the emerging of this figure is highly consistent with that person being the person who had parked the white vehicle and trailer. The boat once launched cannot be seen in its entirety until a short time later when it moves away from the pier and heads in the direction of the marina entrance. It then disappears from the screen. The boat is not seen on CCTV to return to the mooring at any time thereafter. As indicated earlier, the Vandeeper's vehicle and trailer were later found uncollected in the carpark. In my view the evidence is overwhelming that the CCTV footage depicts Len Vandeeper's vehicle launching the boat between 10:23am and 10:33am on 12 December 2016 and that this was the boat owned by Angus Vandeeper. I so find. However, it is not possible to

⁷ Exhibit C14

determine from the CCTV footage the identity of the person or persons on the boat, nor indeed exactly how many people were on the boat when it left the anchorage.

- 2.13. I refer to the statement of Detective Brevet Sergeant Robert Martin of the Limestone Coast Criminal Investigation Branch.⁸ Detective Martin has reviewed the telephone records of each of the Vandepers. No mobile phones belonging to the Vandepers were located as part of the police investigation and so it is believed that their mobile phones were with them on 12 December 2016. As part of the investigation, telecommunication service records for telephones linked to the Vandepers were requested and provided by Telstra. These records reveal that there were no outgoing calls recorded for any of the mobile telephones linked to any of the phones of the three Vandepers on 12 December 2016. The only relevant activity in relation to phones in the possession of the Vandepers was an incoming call to Douglas Vandeper's mobile telephone at 10:44am on 12 December 2016. This call was unanswered and went to message bank. The call was traced to a stock agent in New South Wales. I understand that there is no evidence of outgoing calls or other communications made from any of the Vandeper's phones after 12 December 2016 or answered calls after that date on those phones.
- 2.14. I was satisfied on the balance of probabilities that the boat belonging to Angus Vandeper was launched from the Cape Jaffa marina at approximately 10:33am on 12 December 2016. I am satisfied on the balance of probabilities that this boat has not been seen since that date. I accepted Angus Vandeper's evidence that Len Vandeper told him that it was Len's intention to take his wife Annette and his son Douglas out on the boat the following day. I am satisfied that all three Vandepers have not been seen, heard from or heard of since 12 December 2016. I am further satisfied on the balance of probabilities that Lennel Vandeper, Annette Vandeper and Douglas Vandeper were all on that boat when it set off from the Cape Jaffa marina on 12 December 2016. I shall later in these findings return to the question regarding their ultimate fate.

3. Police involvement and the search for the Vandepers

- 3.1. Senior Sergeant First Class Peter Brown was on duty at the Millicent Police Station. As a result of Angus Vandeper's telephone call, at about 9am on 13 December 2016 he became aware that the Vandepers were missing. He travelled to Cape Jaffa. While en

⁸ Exhibit C16

route he commenced organising a search for the Vandepuers and the boat. He was advised that there had been no EPIRB activation. Mr Brown requested that triangulations be undertaken on the three mobile phones belonging to the Vandepuers.

- 3.2. On arrival at the Cape Jaffa marina Senior Sergeant First Class Peter Brown was met by Angus Vandeeper who advised that Len had intended to visit the Margaret Brock Reef area. That area was subsequently searched by the Fisheries Department boat and nothing was located.
- 3.3. Drift calculation modelling was performed using the SARMAP computer-based drift modelling program. This provided police with approximate areas to search based on weather data and type of target. The drift model was commenced from midday on 12 December 2016 for a 24-hour period. The general direction of drift was in a southerly spread, and that was in a southerly spread from the area south of Cape Jaffa and the Margaret Brock Reef.
- 3.4. SAPOL Forward Command was established at 10:20am. Throughout 13 December 2016 police conducted the search with the assistance of vessels from the SES, Fisheries Department and the professional fishing fleet. An aerial search was commenced at 11:30am by a SAPOL helicopter and a SAPOL fixed-wing plane.
- 3.5. A land search was conducted by the SES predominantly along the beaches to the north and to the south of Cape Jaffa. They were commenced at 3:30pm on 13 December 2016. As well as the SAPOL helicopter and the SAPOL fixed-wing aircraft which were deployed at 11:30am on 13 December 2016, the search efforts were assisted by five additional helicopters and a Dornier search aircraft that were provided by the joint rescue coordination centre in Canberra. Additional boats arrived in Kingston throughout the day to assist with the search efforts on the water.
- 3.6. At 6:40pm a volunteer searcher located a part of the seat which appeared to have come from a boat on the beach near 32 Mile Crossing. This location was approximately 40 kilometres north of Kingston and well north of the area searched during most of the day which had focussed on the area due west and to the south of Cape Jaffa and Margaret Brock Reef. The seat had been damaged by three cuts into the material of the seat that were approximately 20 centimetres apart and each about 50 centimetres long.⁹

⁹ Exhibit C11, appendix I

- 3.7. The search continued overnight until 1:20am on 14 December 2016 and recommenced at 4:30am. Forward Command was advised that at about 4:30am a grey plastic bucket and grey plastic tub had been located on the beach near 28 Mile Crossing. That was approximately 30 kilometres north of Kingston. Angus Vandeppeer identified both as coming from his boat.
- 3.8. The search continued in the ocean near Cape Jaffa and to the north in the vicinity of where the above items had been located.
- 3.9. At about 10am on 15 December 2016 witness statements were taken from Kevin and Kathy Rowbottom¹⁰ who advised that at about 1pm on Monday 12 December 2016 they were walking on the beach about 11 kilometres north of Kingston in the area known as The Granites. They saw a boat travelling north at about 40 kilometres an hour. It was about 1 kilometre offshore. The hull of the boat appeared to be aluminium. They were unable to identify the boat but their description of it is similar to the description of Angus Vandeppeer's boat. The Rowbottoms only saw the one boat during their walk. They assert that the sea was calm. National Rock is a reef located offshore near The Granites and it is exposed at low tide. SAPOL water operation members searched that area using snorkelling equipment and did not locate anything. That said, there was poor visibility. It is possible but by no means certain that the Rowbottoms saw Angus Vandeppeer's boat.
- 3.10. The search continued until 2pm on Monday 19 December 2016 with nothing further of relevance located. The only relevant items located were the seat, the tub and the bucket. I find that these items were from Angus Vandeppeer's boat.
- 3.11. Brevet Sergeant MJ of the SAPOL Water Operations Unit, STAR Group has attached to his statement the SARMAP modelling printouts and search maps for the aerial and sea searches.¹¹ Between 3 January 2017 and 7 January 2017, Brevet Sergeant MJ performed underwater towed sonar searches with other officers in an effort to try and locate the boat. It is apparent that the search was thorough. The searches were conducted approximately 12 kilometres north of Kingston. Brevet Sergeant MJ states

¹⁰ Exhibits C5 and C6

¹¹ Exhibit C11

that he believes the boat sank in its entirety as it was not located in the search area despite three items from the boat being located on the beach. He states that:

‘The cause of the boat sinking is unknown, but I believe the boat sank or capsized quickly. There was an EPIRB, 2 marine radios and possibly up to 3 mobile phones on board. There were no mobile calls’.

Brevet Sergeant MJ had phone reception at all times during the sonar searches in that area and approximately 1 kilometre out to sea from where these items were located. There was no EPIRB activation or radio broadcast received from the boat.

- 3.12. In his statement Brevet Sergeant MJ recites possible causes for the disappearance of the boat. Admittedly these possible causes are all speculative. They included drain bungs being left out or hitting a floating object causing a hole in the hull. As to the cuts to the recovered seat, there were no cuts in the seat prior to 12 December 2016. Detective Brevet Sergeant Robert Martin of the Millicent CIB who is the principal investigating officer¹² states that it has been suggested that the cuts may have been caused by a marine propeller if the seat was run over while partially submerged in the water. To my mind that is possible.
- 3.13. Brevet Sergeant MJ states that there is no conclusive evidence as to the exact location the boat travelled to on the day in question. He believes that the boat did not sink or capsize near to the Margaret Brock Reef, but instead in the area offshore and to the north of where the three objects were located on the beach. This is supported by the southerly drift directions of the objects. Brevet Sergeant MJ suggests that it may have been that the Vandepers went to that location to fish for snapper. There were snapper fishing spots in that area were stored on the boat’s GPS. Angus Vandeeper states that three of his snapper fishing rods were missing. They were normally stored off the boat in the Kingston shed. The inference is available that they were placed on the boat with the intention that they would be used for fishing during the course of 12 December 2016.
- 3.14. Dr Charles Kalei was the family general practitioner for Lennel, Annette and Douglas Vandeeper. Dr Kalei has given three statements detailing their medical histories. Their

¹² Exhibit C12

medical histories are unremarkable. There was no history of mental health issues or suicidal ideation.

- 3.15. SAPOL have no holdings relating to domestic violence for any of the Vandepers.
- 3.16. Police have maintained contact with the surviving members of the Vandepers family and have received no information that would suggest that Lennel, Annette or Douglas were alive at any time after 12 December 2016. There have been no unexplained bank transactions in connection with the Vandepers after 12 December 2016.
- 3.17. Counsel assisting Mr Plummer has submitted to the Court that the search for the missing boat was an extensive one. I agree. As to why the boat has never been found can only be the subject of speculation. Inquiries were made relating to the hull floatation of the boat. Quintrex, the boat's manufacturer, has provided advice that the boat was manufactured with foam floatation installed under the deck. Angus Vandepers states that he was not aware if the floatation foam was still installed in the boat as he had never removed the decking and it was not visible from the rear hatch. He states that he did not remove the foam. It is noted that a previous owner may possibly have done so prior to the purchase of the boat in 2002. Police were unable to identify any previous owner of the boat.

4. Conclusions

- 4.1. While I have considered the fates of all three missing members of the Vandepers family separately, the facts remain that all three of them were collectively expected to go out on the boat on the day in question and that none of them have been seen, heard from or heard of since. I am satisfied on the balances of probabilities that all three of them were on Angus Vandepers's boat when it left the Cape Jaffa marina shortly after it was launched at 10:33am on 12 December 2016.
- 4.2. I am satisfied that no trace of any of the three missing members of the Vandepers family has ever been found. I am satisfied that the boat that they were in on the day in question has never been located. I find that the boat for whatever reason sank. In my view it is highly likely that the event that caused it to sink was sudden and unexpected and did not provide any opportunity for the Vandepers to activate the EPIRB or to use a radio or mobile phone as a means of communication. The same applies to the donning of lifejackets.

- 4.3. I agree with the conclusion of the principal investigating officer, Detective Brevet Sergeant Martin, that there is no evidence to suggest that the disappearance or deaths of the Vandepers were in any way suspicious and not as a result of a marine incident. Detective Martin points out that there is no evidence to indicate that Lennel, Annette and Douglas Vandeper did not die as a result of a marine incident on 12 December 2016.
- 4.4. I find that Lennel Roy Vandeper died on 12 December 2016 as a result of exposure to the sea.
- 4.5. I find that Annette Patricia Vandeper died on 12 December 2016 as a result of exposure to the sea.
- 4.6. I find that Douglas Peter Vandeper died on 12 December 2016 as a result of exposure to the sea.

Key Words: Disappearance; Sea; Police

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

Seal the 21st day of April 2022.

Deputy State Coroner