

**FORM 38**

Rule 60(2)

**FINDING INTO DEATH WITHOUT INQUEST**

*Section 67 of the Coroners Act 2008*

**Court reference:** 1153/08

In the Coroners Court of Victoria at Melbourne

I, AUDREY JAMIESON, Coroner having investigated the death of:

**Details of deceased:**

Surname: BOLLAMPALLY  
First name: SANDEEP  
Address: 7 Mary Street, Clayton, Victoria 3168

without holding an inquest:

find that the identity of the deceased was SANDEEP BOLLAMPALLY

and death occurred on 19 March 2008

at The Alfred Hospital, 55 Commercial Road, Prahran Victoria 3181

from

**1a. CONSISTENT WITH DROWNING**

Pursuant to Section 67(2) of the **Coroners Act 2008**, an inquest into the death was not held and the deceased was not immediately before the person died, a person placed in custody or care; but there is a public interest to be served in making findings regarding the following circumstances:

1. Mr Sandeep Bollampally was born on 2 February 1982. He was 26 years of age at the time of his death. Mr Bollampally was an Indian National, studying in Australia. Mr Bollampally lived at the Mary Street address with seven other students.

2. On Saturday, 15 March 2008, Mr Bollampally and three of his housemates, Vivekananda Gade, Kiran Kottinti and Praveen Kunchey, rented a car and drove to Smiths Beach at Phillip Island. The housemates/friends had intended to spend a day at the beach, drive around to a few other beaches in the area and attend the Penguin show in the evening before returning home. Mr Bollampally had recently been taking swimming lessons at the Monash University swimming pool, but was not a confident swimmer. None of the group had intended on going swimming.

3. On arriving at Smiths Beach, the group walked down from the carpark onto the beach and along to a rocky section/platform, which lies between Smiths Beach and YCW Beach. Their intention was to take photographs. The group had seen other people standing on the rocks. The water was calm and there was no water on the rocks at the time they arrived there.

4. Mr Bollampally, along with Mr Kunchey and Mr Gade, posed on a section of the platform of rocks with their backs to the ocean facing the beach. Mr Kottinti took some photographs. As the 3 men stood on the rocks a wave broke over the rocks, knocking Messer's Bollampally, Kunchey and Gade over. As they were all attempting to stand, another wave broke over the rocks and washed them into a rock pool. Mr Gade and Mr Kunchey managed to get out of the rock pool, but Mr Bollampally was unable to get out of the water despite the attempts of his friends to rescue him.

5. Mr Bollampally was rescued from the water approximately 10-15 minutes later. He was unconscious at that time. Cardio-pulmonary Resuscitation (CPR) was initiated. Ambulance paramedics were soon on the scene and continued to administer emergency treatment. After approximately 20 minutes a cardiac output was obtained. Mr Bollampally was transported by the air ambulance to The Alfred Hospital.

6. Mr Bollampally never regained consciousness. He was diagnosed with hypoxic ischaemic brain injury. Mr Bollampally died on 19 March 2008.

#### **Investigations:**

7. An Objection to Autopsy under Section 29 of *Coroners Act 1985*, was lodged on behalf of Mr Bollampally's family.

8. An external examination was performed by Professor Stephen Cordner, Forensic Pathologist and Director of the Victorian Institute of Forensic Medicine. Professor Cordner also reviewed the Police Report of Death for the Coroner, Form 83, and the clinical notes from The Alfred Hospital, before reporting to the Coroner that a reasonable cause of death in the circumstances could be attributed to "consistent with drowning".

9. The objection to autopsy was accepted.

10. Toxicological analysis of body fluids identified drugs consistent with the intensive medical management of Mr Bollampally at The Alfred Hospital.

11. The Police investigation did not identify any suspicious circumstances. No signage was present at the site of the incident. Smiths Beach, Phillip Island is a surf beach, which is popular with families and is known as a "safe" surf beach. It had not previously been identified as a risky

location, unlike other rock platforms in the local area that have been associated with drownings and have been sign-posted to warn of the risks.

12. On 19 March 2008, the surf was noted to be larger than normal, with 1.5 metre swells breaking on the beach, many of them dumping and doubling up. The wind on the beach was coming from the south east. Mr Bollampally was not a confident swimmer. He was attempting to develop his swimming skills but it is not known whether he had sought out or received any information regarding water safety in general.

#### **Comments:**

Pursuant to Section 67(3) of the Coroners Act 2008, I make the following comment(s) connected with the death:

1. Mr Bollampally's tragic death is a regrettable reminder of the dangers associated with standing on rock platforms on the coastline. Waves over rock platforms are a natural consequence of changing weather and water conditions. They are by their nature unpredictable.
2. A number of investigations and public Inquests have been held into deaths associated with rock fishing where the deceased has been swept from rocks and drowned. The risks identified with rock fishing in those matters are equally applicable to the circumstances in which Mr Bollampally and his friends found themselves whilst on a sightseeing trip to Phillip Island on 15 March 2008.
3. The Coroners Prevention Unit (CPU) has identified that a disproportionate number of drownings in Victoria have involved people from non-English speaking backgrounds (NESB). Life Saving Victoria (LSV) reported that they have estimated that approximately 14% of unintentional drownings in Victoria in the 2007-2009 period, have involved people from NESB which is consistent with the national figures which suggests 15% of drownings involve this group of people.<sup>1</sup> For drownings involving people being washed off coastal rock shelves, such as when rock-fishing, the proportion of people in this NESB group, is substantially higher. Rock-fishing and standing on a rock platform presents the same risk of being inundated with a sudden unexpected wave(s).
4. LSV has responded to the this over representation of NESB people in drownings and has delivered a number of water safety programs to international students in Victoria between 2009-2010, including:

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<sup>1</sup> Life Saving Victoria drowning Report 2008-2009

- Meet a Lifeguard Program: water safety presentations to approximately 1,000 international students at Victorian universities and some TAFEs.
- Beach Days: two beach days were organised for the Box Hill Institute of TAFE and Victoria University where 225 international students participated. Monash University will be participating in the program from next summer.


#### **FINDING:**

I find that Sandeep Bollampally's death is consistent with him having drowned at Smiths Beach, Phillip Island on 15 March 2008, when he was swept by waves from a rock platform.

#### **Concluding Comments:**

I encourage all education and training institutions with enrolled international students, to seek the services of Life Saving Victoria to deliver water safety information to these students. Building water safety awareness amongst this group will help to promote the adoption of behaviours based on the risks posed at different aquatic environments specific to the Australian and, in particular, the Victorian coast, rivers and other waterways.

Signature:

  
 AUDREY JAMIESON  
 Coroner  
 Date: 19 August 2010



#### **DISTRIBUTION OF FINDING:**

- Mr R Madadi - on behalf of the family of Sandeep Bollampally
- The Honourable Rob Hulls, Attorney General
- Mr Nigel Taylor, Executive Officer, Life Saving Victoria
- Mr Craig Lloyd, Director Emergency Services Policy and Support Unit
- Mr Andrew Metcalf, Secretary, Australian Government Department of Immigration and Citizenship
- Senator Chris Evans, Minister for Immigration and Citizenship.
- The Honourable Bronwyn Pike MP, Minister for Education, Skills and Workforce Participation