

New Marine Regulations to Cost Victorian Boaters

Document: Options Paper for Marine Licensing in Victoria - for Marine Safety Regulations 2011

<http://www3.transport.vic.gov.au/documents/OptionPaperforMarineSafetyRegulations2011.pdf>

Background

“This paper outlines how current marine licensing is currently managed in Victoria, and how it could be improved. The objective is to strengthen the licensing scheme so that it improves the safety of recreational boating....

DOT will carefully consider the feedback, together with the analysis presented in this paper, to determine if any change to the present licensing scheme is warranted” (page 5).

Data

“In recent years, the MUARC [Monash University Accident Research Centre] has produced an annual report for Marine Safety Victoria analysing these data sets. The most recent annual report covers the 2008/09¹ financial year. MUARC has also written a 5 year report² covering injuries and incidents for the years 2003/04 to 2007/08. The following tables and discussions are drawn from the data contained within these reports” (page 12).

Injuries

“In addition to fatality data derived from coronial investigations, MUARC draws on hospital admissions and emergency department presentations to provide information on injuries.

[A] In relation to general boating injuries, emergency department case notes indicated that the major cause of injuries was a lack of appropriate skills when in control of a recreational vessel” (page 20).

Document: Regulatory Impact Statement for Marine Safety Regulations 2011

http://www.transport.vic.gov.au/data/assets/pdf_file/0013/41800/Marine-Safety-RIS.pdf

Findings of the Review

“Overall the review found that the sector generally operates safely. Importantly, there has been a reduction in the number of marine related deaths over the last decade” (page 19).

[B] “However, there has been an upward trend in the numbers of incidents and injuries in the recreational sector. In particular, hospital-treated injuries associated with recreational boating have doubled over the period from 2003/04 to 2009/10”

[C] “A key indicator of the increasing risk of further fatalities is vessel disablements [Response only incidents], which increased from 586 in 2003/04 to approximately 1000 in 2009/10”

“The main conclusion arising from the review is that there is no need to make revolutionary change to Victoria’s legislative setting in this area, but, there is an opportunity to make some improvements. Importantly, there is a need to make proportionate response to changes in safety risks” (page 21).

¹ Monash University Accident Research Centre *Marine Safety in Victoria* – July 2008 to June 2009. Published by Marine Safety Victoria 2010

² Kerr, E, Ashby K and Cassell E (2011). *Marine Safety in Victoria – 5 year report 2003/04 to 2007/08*. Report to Marine Safety Victoria.

Document: Marine Safety in Victoria, MSV (July 2008 to June 2009)

Summary

"This is the sixth MUARC report on marine incidents and boating related deaths and hospital – treated injury in Victoria. Marine incident data were sourced from the Marine Incident Reporting System (MIR), deaths from the National Coroners Information System (NCIS) and hospital admissions and emergency Department presentations from hospital datasets held by the Victorian Injury Surveillance Unit at MUARC" (*page 6*)

Preventing injury in motor boating (pleasure cruising etc.)

"Analysis of Emergency Department case narrative data indicates that the major causes/mechanisms of injury were slips/trips/falls (when on the boat, falls overboard and when getting off the boat)" (*page 12*)

***BIAV note:** Refer to **[A]** above

Comments on the MIR System data quality

Since 2004/5 the frequency of reported commercial and recreational vessel incidents steadily increased to 2007/08, probably reflecting improved reporting rather than a real increase in incidents. This pattern changed in 2008/09 when there was an apparent 39% decrease in commercial vessel incidents and a levelling off of recreational vessel incidents" (*page 15*)

***BIAV note:** Refer to **[B]** above

Document: Marine Safety in Victoria 5-Year Report 2003/04 – 2007/08

Summary

"This is a five year summary report prepared by Monash University Accident Research Centre (MUARC) for Marine Safety Victoria. The report covers marine incidents and boating-related deaths and hospital treated injury in Victoria occurring over the period July 1, 2003 to June 30, 2008" (*page 1*)

Data Sources

"Note that in Victoria this definition has been expanded to include cases being treated in the emergency department and discharged without hospital admission, whereas the national reference manual only covers cases that result in hospital admission" (*page 11*)

"MSV [Transport Safety Victoria] has expanded this definition to include ED presentations" (*page 15*)

Victorian Injury surveillance datasets

The Victorian Emergency Minimum Dataset (VEMD) captures presentations to public hospital Emergency Departments (ED) that provide a 24-hour ED service".

"There are no codes to identify boating related injury ED presentations on the VEMD" (*page 12*)

Response Only incidents

Response only incidents are incidents covered by the MIR system but not covered by the definition of a 'marine incident' in the national reference manual. They include:

- disablement of vessel i.e. when a vessel has broken down or been disabled
- persons in trouble i.e. no vessel was involved but activity still happened in the water e.g. person on body board has been swept out to sea (*page 15*)

***BIAV note:** refer to **[C]** above

Document: Serious Injury Due to Water Transport Accidents, Australia 1 July 1999 to 30 June 2003 (National Marine Safety Committee 2005)

Trends

“Over recent years the population based serious injury rate due to water transport accidents has declined substantially” (page 6).

Cross-modal comparisons

“An analogous measure can be calculated for watercraft, considering the number of registered transport unites (i.e. vessels)*. It shows that the watercraft-related serious injury rate per 10,000 vessels is about 6, using the published number of registered vessels as a denominator for the number of serious injuries involving powered vessels, but could be as high as 9 if the number of serious injuries involving non-powered vessels is also included”

“While there is no singularly ideal exposure measure because different measures are needed for different purposes, probably the fairest exposure measure for cross-modal comparisons is person-time exposure. Population based rates are more important from a public health and social planning perspective whereas kilometres travel is often used as an exposure measure from a transport planning perspective” (page 10)

**Footnote 5: For example, Monash University Accident Research Centre has recently reported injuries per thousand registered personal watercraft (MUARC, 2004), indicating a rate at least 10 times higher than the rates reported here for all water craft.*

BIAV Note: (MUARC 2004) reference is Hazard Ed.56.

Document: Boating Related sports and recreational injury, Victoria July 2000 to June 2002. Ashby and Cassell (Summer 2004)

Summary

“There were 18 fatalities, 205 hospital admissions and 517 Emergency department (ED) presentations (non-admissions) for boating-related injuries over the 2 year period July 2000 to June 2002” (page 1)

Introduction

“This edition of Hazard provides an overview of unintentional fatal and non-fatal injuries associated with boating-related sport and recreational activities utilising data from the Marine Incident Database (MID) and the National Coroners Information System (NCIS)....and the Victorian Hospital-based injury surveillance databases (VAED and the VEMD).

Activities covered by this report include recreational boating, water skiing, PWC (or Jet Ski) riding, rowing, canoeing, kayaking, sailing, rafting and kite surfing. Scuba diving and snorkelling were included as it is not known whether boats were involved in the activity” (page 2).

BIAV Note: Epidemiology of medically attended sport and recreational injuries in QLD 2002
- Source: table 3 page 315 (even if we use the flawed data – context PWC injury rate @ 8.4-16.2 injuries/1000 users)

Document: Unintentional (accidental) hospital-treated injury in Victoria 2009. MUARC E-Bulletin Ed.7 (January 2011).

Summary Results

- “(6 in every 100) [Victorians] were treated in hospital for unintentional injury during 2009”

- "Hospital admissions (frequency and rate) and ED presentations (frequency) have increased significantly over the 14-year period 1996 to 2009"
- The frequency of admissions increased by 65% and the admission rate by 37% if the same day admissions are included in the analysis, reducing to 40% and 16% if the same day admissions are excluded (the latter method produces a more stable indicator of trend). The frequency of ED presentations increased by 72%" (page 3)

BIAV Note: *Even if we take the flawed MUARC data and compare it in Hazard 51 (Table 2, page 5)*

What's actually happening out on the Water?

Document: Trip Analysis- National Boating Usage Study. National Marine Safety Committee (August 2010)

Introduction

"During the 18 months of data collection participants recorded details of approximately 32,000 trips on Australian waterways. This represents 300,053 hours of boating data. This data has been collated and is presented in this report" (page 8).

Table 2 (page 11): Vic, Trip Diary Sample (n) **420**

Location of Trips

"This was followed by Victoria where 19% (n=6,015) of trips occurred" (page 12)

Boating Incidents

"Only 1% (n=343) of boating trips involved an incident" (page 25).

Incidents by boat type

"The 343 incidents recorded in the trip diaries were aggregated according to boat type. The most common type of recreational vessels involved in the incidents were sailing vessels which were involved in 28% of incidents" (page 26)

Seriousness of the Incidents

"For the purposes of this study, near misses with an object or vessel were included in the incident types and constituted 19% (n=55) of the incidents reported"

An incident that did not result in damage to the vessel or other property constituted 36% (n=107) of incidents."

"A quarter of the incidents (n=75) resulted in the vessel being damaged. A further 10% (n=28) of incidents resulted in some form of damage to property. Some form of injury occurred in 8% (n=24) of the reported incidents".

"The next most serious level of incident was that in which a serious injury occurred and this happened on 5 occasions (2%). The most serious level of incident is where a fatality occurs and in the eighteen months of the study no participant reported an incident involving a fatality" (page 28).

WHO IS TELLING THE TRUTH? IS there a dire safety case in the Departments publications?

Document: Regulatory Impact Statement for the Proposed Marine Regulations 2009 (Pricewaterhouse Coopers, October 2009)

"It is acknowledged that the value of fines may be inadequate in view of the costs of enforcement, either as born by local authorities or by the State, and for this reason steps, from increasing fines through to better enforcement administration, are being considered as part of the wider Marine Review" (page 59)

