

NEW SOUTH WALES POLICE

STATEMENT in the matter of: **Sydney-Hobart Yacht Race Rescue Operations**

Place: Westmead, New South Wales

Date: 18 January, 1999

Name: Daniel Elwain Tyler Tel. No: 0419-493634

Address: 83 Columbia Road, SEVEN HILLS NSW 2147

Occupation: Professional Helicopter Pilot STATES:-

I was the duty pilot for CareFlight rostered for the 1800 - 0800 hours shift, 27-28 December, 1998. When I arrived at the Westmead Hospital base at 1800 hours on 27 December, I learned that the helicopter with the day shift crew was on a medical retrieval flight from West Wyalong to Sydney, and was expected back at around 2130 hours.

I also learned that CareFlight had been contacted by AusSAR at around 1630 hours that day and had been told there were problems with the Sydney-Hobart fleet. AusSAR had been informed of our helicopter's whereabouts and its estimated time of return.

The evening crew consisted of myself as pilot, medical crewman Dr Richard Cracknell, and rescue crewman SCAT-Paramedic Murray Traynor. Air Crewman (ACM) Graeme Fromberg was already on duty and would be continuing with us when the helicopter returned.

At 2120 hours, just prior to the helicopter returning to base, we were given another medical retrieval task by NSW Air Ambulance, the transport of a critically-ill 67 year old woman from Moruya Hospital to Canberra Hospital.

Prior to departing on the medical flight, I contacted AusSAR and inquired whether the rescue situation had been resolved. I was informed that the situation was chaotic, that there had already been at least one helicopter winch rescue earlier in the evening, that there were numerous unresolved distress signals and MAYDAY calls from racing yachts, and that almost certainly there would be a need for additional helicopter rescue capability off the far south coast of New South Wales at first light the following morning. I believe that the SAR officer I spoke to at that time was Scott

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Constable.

It was agreed that we would check in with AusSAR upon arrival in Canberra and that we would probably be asked to remain overnight in Canberra and proceed direct to Merimbula the following morning.

I then briefed the crew about the situation. We off-loaded some medical equipment we did not expect to need, and loaded a life raft and some additional water rescue equipment including pyrotechnic signalling devices onto our Bell 412HP helicopter (Call sign "CareFlight-One" -- registration "VH-CFT").

The weather forecast for the NSW south coast included a "sigmet" for severe turbulence below 10,000 feet on the ranges and east with south west winds ranging from 30 knots at 2000 feet to 50 knots at 10,000 feet. Just prior to our departure from Westmead, the Child Flight helicopter returned to that location, having aborted a medical flight to Bega due to the turbulence.

We departed Westmead Hospital at 2231 hours and completed the patient transfer from Moruya to Canberra at 0151 hours. We then re-positioned the helicopter to Canberra Airport and re-fuelled at the Southcare Helicopter Base. Knowing that we had an early start, I completed a daily inspection on the helicopter at that time.

We finished our checks and phoned AusSAR again before going to bed. We were told that we would probably still be required for rescue operations at Merimbula at first light. We then tried to catch some sleep between about 0330 and 0530. There were four people and only two beds.

We got up at 0530 and phoned AusSAR. By that time it was already starting to get light. We were instructed to fly to Merimbula and to expect further tasking when we got there. We departed Canberra at 0544 and arrived Merimbula at 0651 hours. Other emergency service helicopters working in the area that I either saw or heard over the radio at that time included Southcare (Canberra), Helimed-One (Latrobe Valley), Lifesaver-Three (Wollongong) and PolAir-One (Melbourne).

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There were also RAN Seahawk and Sea King helicopters at Merimbula Airport plus several fixed-wing aircraft including a RAAF Orion conversing on the Melbourne area frequency 118.3 MHz. Gary Ticehurst piloting the ABC-TV AS355 helicopter was also working in the area.

On arrival at Merimbula, we off-loaded most of the medical gear and re-fuelled. Our first task came at 0712 when we were sent to help winch remaining survivors from the yacht "Midnight Special" at 37°27.7' South Latitude; 150°51.8' East Longitude – about 57 nautical miles east sou' east of Merimbula. We departed Merimbula at 0724 hours tracking 117° magnetic toward the location given to us by AusSAR. We navigated mainly by reference to a global positioning system (GPS).

When about 40 nautical miles out from Merimbula, we heard that the last survivors from Midnight Special had been taken aboard PolAir-One and were being flown to Mallacoota. We then contacted AusSAR for a new task. Meanwhile, we overheard on 118.3 that a fixed-wing aircraft had located a disabled yacht with its emergency locator beacon transmitting.

The aeroplane pilot reported that when they overflew the yacht, a red flare had been fired by someone on board. We were then re-tasked by AusSAR to that location (about 47 nautical miles east sou' east of Merimbula) to assist. We initially "homed in" on the distress beacon while the new latitude and longitude were being programmed into the GPS.

The weather out to sea was a broken cloud layer at about 1100 feet above sea level with winds 40 to 50 knots from the south west. Seas were choppy on a six- to eight-metre swell with occasionally much larger "rogue" waves.

When we arrived overhead the vessel at approximately 0800, we could see seven crew members in wet weather gear and life jackets lined up in the cockpit of the 40 foot yacht. The mast was broken, the mainsail was in the water and there was an oil "slick" on the surface near the stern of the vessel. There may have also been a sea anchor deployed, however it was hard to tell if it was that or submerged sails. When we got closer we saw one person lying on the floor of the cockpit. The name on the side of the vessel was "Business Post Naiad".

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The boat was 45 degrees port bow to the swell and wind, because of the effects of the sails in the water. That meant it was rolling, pitching and heaving dramatically.

We had left the medical crewman (Dr Cracknell) on the ground at Merimbula to make more room for survivors on the helicopter. Rescue paramedic Murray Traynor was in a wet suit and harness, ready to act as the "down-the-wire man" (DTWM). ACM Graeme Fromberg, had been in the co-pilot's seat to assist with operating the GPS and searching, however when we spotted the dismasted vessel he moved into the cabin of the helicopter to operate the rescue hoist.

We didn't want to winch to or from the vessel direct unless it was absolutely necessary because of the deck heave, pitch and roll and the amount of wrecked gear on the deck which could foul the winch cable. We decided, since the yacht's radio was obviously not working, to get one of the survivors on board the helicopter to try to find out what injuries we were dealing with.

Using hand signals, the ACM and DTWM urged one of the survivors into the water on a safety line. We winched the DTWM down beside him and he was put in a harness and winched up. Once on board he was given a headset connected to the intercom system, and was able to tell us that the vessel had been rolled over twice during the night; that there were no significant injuries to the seven survivors; but that there were two bodies on board. We were told that the skipper had apparently died of a heart attack and another sailor apparently drowned when caught up in the rigging when the boat rolled over. Apparently, the engine had been disabled in the roll-over.

We asked if there was any doubt that those two persons were, in fact, deceased. The survivor indicated there was no doubt the two men were dead.

I do not know the survivor's name who we first winched up and who told us these things. Because I was busy keeping my eyes forward to hold a steady hover, I did not look around and therefore I would not recognise the person, either. I informed the survivor over the intercom that we would be unable to recover the bodies.

I was concerned about leaving the bodies behind, however it was my considered opinion that

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attempting to recover the bodies from the yacht would have been far too dangerous. Aside from placing the DTWM at serious risk in attempting to land him on the vessel which was pitching, rolling and heaving – we would have had to attempt the body recovery before winching the survivors since they would have been needed to manhandle the bodies into position on the vessel. If, in the process, we snagged the winch cable and had to cut it – then the whole rescue operation would have had to be aborted until another helicopter could be summoned. Furthermore, we would have added our DTWM to the list of survivors needing to be rescued.

I discounted having the bodies thrown overboard and attempting to winch them from the sea because of the possibility of losing them altogether and because – since they could not swim away from the yacht -- our DTWM would have had to move in dangerously close to the yacht in order to make the hook-up. A big wave could have rolled the yacht on top of him. I did not think that course of action was appropriate in the circumstances.

Having determined that we would rescue only the survivors, the ACM and DTWM signalled as best they could for the remaining survivors to lash the bodies to the boat. We then continued winching the survivors up one at a time accompanied by the DTWM to stabilise them in the rescue harness. Before we took the last two survivors off, we armed and sent down a SAR datum buoy transmitting on a discrete VHF-AM frequency so that the yacht could be tracked and the bodies recovered when the seas abated. We then winched the last of the survivors on board and headed for Merimbula, departing the scene at about 0835.

En route, the paramedic assessed the survivors and reported that they were suffering mild hypothermia and mild dehydration. We notified AusSAR via the Melbourne area VHF about the status of the survivors, the last GPS position of the boat and that fact that we had put a SAR Datum Buoy on board on transmitting on 119.25 MHZ. We requested by radio for ambulances and our crew doctor to meet the helicopter at Merimbula Airport to further assess and treat the seven survivors.

We landed at Merimbula Airport at 0902 and handed the survivors over to ambulance officers and Dr Cracknell. After brief assessment, the survivors were taken in two ambulances to Pambula

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Hospital.

We then re-fuelled, grabbed a sandwich, and notified AusSAR that we were ready for another task. We were tasked to search a 3.5 nautical-mile-wide "box" located from 27 to 47 nautical miles east sou' east of Merimbula for the missing yachtsmen from "Sword of Orion" and "Winston Churchill". The helicopter with full crew of four departed Merimbula at 1000 and returned at 1244. We sighted some flotsam in the water on two occasions but close inspection of both items show extensive barnacle attachment suggesting the items had been adrift for a long time. Search conditions were tough due to the sea state.

At noon a fixed-wing aeroplane arrived at Merimbula with relief crew members for all except the ACM -- whose relief didn't arrive until evening. Upon our return to Merimbula Airport I gave relief pilot Captain Terry Summers a handover briefing and then stood down.

Richard Cracknell, Murray Traynor and I were flown back to Bankstown later that afternoon, finally arriving at CareFlight base at around 1545 hours. I was rostered off duty for the four days commencing that day and did not return to CareFlight until New Year's Day. As far as I am aware, the CareFlight helicopter remained on station at Merimbula through the next day, participating in search and rescue operations under direction from AusSAR.

My position is "Senior Pilot" with NRMA-CareFlight at Westmead Hospital. My experience includes over 8000 hours flying time, most of which is helicopter command pilot time. I have been involved in air medical and search and rescue operations for most of the time since 1979.

My qualifications include a US Air Transport Pilot Certificate for helicopters and multi-engine aeroplanes; an Australian Air Transport Pilot Licence (Helicopters) and Commercial Pilot Licence (Aeroplanes); and a command instrument rating.

I hold a Bachelor of Laws Degree from Sydney University (1977) and a Master of Laws Degree from the University of Technology Sydney (1997). I am admitted as a Solicitor (non-practising list) of the NSW Supreme Court and High Court of Australia.

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I am President of the "Helicopter Association of Australia" (HAA) and a Director of the US-based "National Emergency Medical Service Pilots Association" (NEMSPA).

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Heli-Consultants Pty Ltd

FAX COVER SHEET

Monday, 08 February, 1999 18:57:42

To: NSW Water Police
Attention: Snr. Const. David Upston
Fax #: 96925427

From: Dan Tyler
Fax #: 61-2-9831-3274
Voice: 61-2-9831-5663

Fax: 7 pages and a cover page.



Note:
Dave,

Here is my draft statement. I will be away from 10 Feb
thru 5 Mar 99. My mobile phone no. is 0419-49-3634 if
you need to talk to me tomorrow.

Regards,
Dan Tyler