

SERGEANT MOSTARD

Q1 This is a recorded statement taken at the Mallacoota Police Station on the 29th of December, 1998. The time now is 10.49am. I am Sergeant Richard Mostard from the Gippsland Water Police. Also present is Senior Constable Tony Beam from the Gippsland Water Police and this is a statement of Michael John Ryan of 6A/10 Hilltop Crescent, Fairlight, New South Wales. Michael, do you mind just saying who you are and your address and your occupation?

A Yep, Michael John Ryan, I live at 6A/10 Hilltop Crescent, Fairlight. I install air-conditioning and work on the water.

Q2 And would you mind reading out, you've read that before, could you read that again, thanks.?

A Yeah. "This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in court as a witness. This statement is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence I shall be liable to prosecute if I have wilfully stated anything which I know to be false or don't believe to be true".

Q3 And your age, please?

A I'm 19 years of age.

Q4 Thank you. Michael, could you just describe to me, in your own words, the events leading up to the race, the race and the final rescue, please?

A I was asked to sail on the boat about two months before

the race, which was, I was very overwhelmed about, so that was all good and everything was organised and prepared for the race. Race day came, you know, I was down at the CYC yacht club with my parents, which came to say goodbye, you know, the boat was in good shape, everything was sweet. We got out there, we had beautiful conditions, nor' east sea breeze which was a spinnaker run down the coast, you know, so off we went. We started the race and got out the heads and set the spinnaker and we were making pretty good progress, catching up to a lot of the boats in front of us and hoping that the, that breeze was gunna stay overnight, which it did. Yeah, by about, I think, 1 o'clock in the morning the breeze started turning to the west, nor' west, so we had actually jibed and were reaching now and we dropped the spinnaker. Everything was still sweet by then, we were going along. The next day came and it was blowing west and it was about 30 knots of breeze coming over the deck, like, from the side, and we were still, we had the two, three reefs and the main and a number four storm jib up and we were, you know, the boat was going fine, everything was all good. By about 3 o'clock that day it had come across to about 50 knots of breeze. A lot of the parts, you know, I was downstairs sleeping and resting, 'cause I was not on watch, but leading up to it, I was down in, having a rest. All of a sudden I got thrown into the, the roof and into the kitchen and I woke up, you know, being hit

in the head and there was all water in the boat and, you know, we just thought we had been swamped and sort of we went up on deck, made sure everything was all right, but then water kept coming in. And so we were getting a bit worried, so we got the life rafts up on deck and made sure everyone had life jackets on and just got the boat organised. We, we were assessing the damage to see if it was able to be fixed and, you know, we were able to go on, but obviously not. Just with the big seas that were there, you know, the boat just couldn't hold out. So we, we set the life rafts and I jumped in the life raft and I was helping one of the other crew members on and I saw the stern of the boat going down and I saw all the bodies in the water and they were just getting the other life raft open. By the time, you know, the other life raft was open and everyone was in the other life raft safely, the boat was gone. We managed to tie the two rafts together but the surge of the sea was so big that the lines broke and they had a sea anchor out and we managed to get ours out and it, you know, about a couple of minutes later, but just a short time after that ours broke so we were just drifting with the swell and the wind, so we were a fair way away from them and we had an EPIRB and they didn't, so that was our positioning beacon and from then on it was just very scary. It came that we were in the water about 4.00 or 5 o'clock in the afternoon, I think, as I recall. By dusk we'd capsized

twice in the raft, but managed to get it back up. We lost all of our, all of our rations and had three flares and a bit of drinking water and some biscuits. We managed to keep them. We got a puncture in the raft, in the bottom of the raft and later on also got a hole in the lower tube of the outside, sorry, I'm a bit lost for words.

Q5 That's all right.

A Yeah. That would have been early morning, Sunday, Monday morning, on Sunday, Monday morning, yep, and so we were, you know, bailing and pumping the boat up constantly, which was very tiring. We didn't see any aircraft until 3 o'clock Monday afternoon, 4 o'clock Monday afternoon, which we'd let a flare off to, but they had already gone overhead so, you know, most pilots can't look behind them and so we were a bit worried then, and we'd already used a hand flare the day before when we had seen a ship, but the seas were so big I doubt they would have seen it, which left us with two rocket flares. So, yeah, we let one rocket flare off to the plane that was flying overhead and they actually didn't see it. About an hour later, hour and a half later we heard another plane and we got a rocket flare off to them. I'm not sure if they saw the flare or picked up the EPIRB. We actually lost the EPIRB about midday on the Monday, so that was floating about a mile behind us. So we weren't sure if they picked up the EPIRB or had seen the flare, but they

actually came round and circled us so that was a big relief. And then they, they'd gone off and were doing circles around us, obviously looking for the other raft because it should have been near us. Yeah, about another hour later, you know, more planes came out and there was just a plane constantly circling us until a helicopter came. They got, we got winched to safety, winched to safety and then flown down to this place, which is called - - -

Q6 Mallacoota.

A Mallacoota, sorry, yeah, and I guess, here I am, very happy to be on safe ground .....

Q7 O.K, Michael, thank you for that. Now, just a few, I just want to clarify a few points and ask you a few follow up questions. The date of the race, I take it, is Boxing Day, 26th - - -

A Yeah, 26th.

Q7 - - - of December, 1998. O.K. What were your duties on the boat? What was your position?

A I was on the bow.

Q8 O.K. So is there a title for that?

A Foredeck person or bowman.

Q9 O.K. And the person in charge and the skipper?

A Richard.

Q10 O.K. Richard - - -

A Richard Winning.

Q10 - - - Winning.

A Yeah.

Q11 O.K. Were you happy with the way he performed all his duties?

A Yeah, definitely.

Q12 All right. When the boat actually was knocked down, was Richard in charge?

A I believe he was, he was steering, 'cause, as I say, I was downstairs sleeping, but, yeah, from what I've been told once we've got out, you know, he was washed overboard from the wheel and he had a harness on and he had another bloke next to him, you know, doing a watch with him.

Q13 Was there much chaos at that stage or were the directions pretty .....

A No, it was pretty calm, you know, sort of, life rafts were up on deck, had the EPIRB out, you know, there was, other guys were downstairs assessing the damage, making sure that, you know, we didn't have to jump off the yacht, obviously you want to stay with it as long as you can, but, no, everything was calm.

Q14 O.K. Was there any talk during the race of abandoning the race?

A Of us abandoning it?

Q15 Yes.

A No.

Q16 Never a consideration?

A No, the boat was going along very well, even in the, in the 50 knots of breeze, or you know, occasionally getting 60 knot gusts over the deck. We had a storm

jib up and the boat was just, you know, doing about six knots, yeah, running very smoothly.

Q17 Can you just go through your qualifications as a yacht person, what, what, what's your background?

A I've been on the water my whole life. I've worked at the yacht club for six years, I've sailed dinghies in that whole time, I've raced competitively from about 11 years of age up till now. I've, my father's owned a yacht in that whole time, you know, like, a 46 foot yacht and a 44 foot yacht, 38 foot yacht, so, you know, I'm used to sort of handling. I've done a coxswains ticket, first commercial ticket, yeah.

Q18 O.K. All right. In relation to the Winston Churchill, can you describe what type of boat it is?

A Cutter, 51 foot, wooden, cutter.

Q19 And its condition?

A Very, very nice, restored, everything set up very well on it.

Q20 So on your time on it you didn't find any faults that you - - -

A No.

Q20 - - - can think of?

A No.

Q21 Fairly good?

A Yeah.

Q22 O.K. Do you know the other people on board the boat?

A This had, I knew John Stanley, that's the man who had asked me to come and sail the boat. Apart from that,

I met the guys just prior to the race.

Q23 Right, so you'd know their first names but not their surnames?

A Yeah, that's right. Even, you know, if you told me a name now I'd probably be a little bit to who it was.

Q24 All right.

A Only 'cause I'm, you know.

Q25 O.K. Would I be right in saying there was nine people on board?

A Yep.

Q26 O.K. And all men?

A Yeah.

Q27 You've gone through the conditions of the water. Can you just describe the, the sea, prior to the front here, the weather change, the seas at that time?

A When we were running or -?

Q28 When you came down the coast?

A Yeah. It was probably about a three metre swell when we had the kite up, you know, we were sort of surfing down a few waves, for an old boat like that to be surfing it's, you know, they were pretty peaky waves, but it was all right, you know.

Q29 So the fact that you were downstairs at the time or in your bunks, you didn't actually see the wave that knocked you down?

A No, I didn't. I've been described it, but, you know, the, the waves at that time were pretty big and, and a few of them were breaking on the top which, you know,



made it -

Q30 Have you ever seen any waves that big before?

A No, that's been my first major offshore race, you know, seeing sort of 10 to 15 metre swell, it's pretty scary stuff.

Q31 So when you, you say it's your first Sydney to Hobart, have you done much ocean sailing, circuit sailing or anything?

A No, I've done, you know, a few club offshore races with the yacht club 'cause working there for so long, you know, you get to know everyone and they, they ask you to come out sailing and, but, you know, it's not a thing that I was worried about, or don't think I have enough experience .....

Q32 Yeah.

A Yeah, it's my first major, major, staying offshore overnight, I haven't done that before, so -

Q33 All right. Now, the Mayday call, were you aware a Mayday call was given?

A Yeah, like - - -

Q34 Did you hear it or you've just been told?

A - - - I heard just briefly and then I was up on deck, so -

Q35 O.K. So have you got a rough idea what time of day that was?

A We probably would have got knocked over at about 4 o'clock, round 4.30, 4 o'clock and, you know, immediately to finding that the boat was taking on

water the Mayday call was given.

Q36 O.K. O.K. Have you any idea of your location at that point in time?

A No. I don't because I was, as I say, I'm not really a navigator or anything like that, but, I was downstairs, I know we were off Eden, sou' cast off Eden or something, that's what I've been told.

Q37 All right. Were you injured at all?

A Only when I flew across the, from the floor into the kitchen and I landed on top of the stove and hit the roof, so I kind of hit my head, but that was about it.

Q38 O.K. And how long do you think you spent in the life raft?

A About 25 hours.

Q39 Is that just what you've been told or -?

A No, from time, yeah, we jumped in the life raft about 5 o'clock, 4.30, somewhere between that time as I say, yeah, we got pulled out at about 6 o'clock or 5 o'clock on the Monday.

Q40 All right.

A Sunday to Monday.

Q41 Yeah. So you went in on the Sunday.

A Yeah.

Q42 And you came out on the Monday.

A Yeah.

Q43 So, it's about 25 hours.

A Yeah.

Q44 O.K. Now, you say when, when you first went over

there was two life rafts in the water and they were tied together and they broke.

A Yeah, they don't give you very strong rope.

Q45 M'mm.

A It was dodgy nylon weaved rope.

Q46 Did the rope actually snap or did it -?

A Yeah, it snapped just from the, the, you know, the surge, one boat sort of going up over the top of the rolling wave the other one getting caught and the other one's already off the back of it, so it just pulls and we've got so much weight in them.

Q47 Right. You mentioned the other boat had a sea anchor and you didn't.

A We, they, they dropped their sea anchor and we were getting carried down pretty quickly and I said, "Have we got a sea anchor on board?", and we found it and we threw it over and that probably lasted for about 15 minutes or so and so, you know, it was just such big swell that we couldn't even see where the guys were then, but once ours broke we knew that we were going to be totally away from them and I .....

Q48 Yeah, O.K. So, you say you got rolled over twice?

A Yeah.

Q49 Right, was that in the dark or -?

A In the dark.

Q50 In the dark. O.K, any major problems then?

A Only the fear, the first roll over in the night time, just getting everything organised and we lost rations

and, 'cause the bag actually floated out but once we've righted it, you know, we still had few flares in there and a bit of food and stuff, which was good.

Q51        Yeah.

A            Quite lucky.

Q52        And were you wearing safety gear at this time?

A            Yeah. We'd, prior to getting off the boat we all had life jackets on and.

Q53        And were they kept on for the whole time?

A            Yeah.

Q54        Do you have any idea what direction you drifted?

A            Well, to the, what the wind was blowing, 'cause it was west, sou' west, we were getting blown offshore quite rapidly and then I think early morning or, it turned south, so we were sort of getting blown off the coast and back up north again, so, I think our final position was, like, 90, nautical miles from where we had said we were offshore, which is a fair way.

Q55        O.K, now how many aircraft did you actually see searching for you?

A            As I say we didn't see any, any aircraft until about 3 o'clock and then we'd fired the flare and we saw him heading, got to get the direction right, I think, roughly going south, out towards Hobart from where we actually were, yeah, we saw him go round and we weren't sure if that was the one that came back when we let the second flare off, but he'd seen it so, you know, that's only two planes, once they'd got our location .....

..... and about an hour before we got picked up by the helicopter there was a plane, just continuously circling us.

Q56 Right. And as far as the winching exercise by the helicopter, do you have any comments to make about that?

A Excellent, yeah, legends. They know how to do their job, .....

Q57 Good.

A ..... thank .....

Q58 And you said you had three flares on board after the knock down?

A Yeah. One was a hand-held flare and two rocket flares.

Q59 And they were all used eventually?

A Yeah, the hand-held flare was used just after we had got in the raft 'cause we seen a ship on the horizon and, you know, we sort of just used the hand-held flare, we wanted to keep the rocket flares but the sea was that big, you know, and there was not much visibility either, so, 'cause there was a lot of rain and, you know, couldn't see, like three feet in front of you, ..... when the squalls came through.

Q60 And what was morale like on the raft?

A Morale?

Q61 Mm.

A Being calm and all that?

Q62 Yeah.

A It was great, yeah, everyone was keeping everyone's spirit's up, you know, a few stages there I didn't think we were actually going to be coming home and it's Paul, you know, he just kept us really, you know, "Come on, let's go, we're going to get found", and stuff like that, it was excellent. Yeah, and Richard was looking after Paul, Paul was looking after me and so on.

Q63 O.K. Now, from your personal point of view, have you got any safety issues that you weren't happy with, or recommendations you'd like to make about -?

A The life rafts?

Q64 The life raft, and also with the life raft, yes?

A Yeah, for it to get a puncture in the lower tube, it's pretty frightening, you know, wondering if you're going to stay above water and a life raft, they're to preserve life and then getting a hole in the bottom from the air canister that blows it up, that was also not good, a lot of the seams started splitting away, I'm not sure if that's meant to do that in the rough sea or whatever, just so it's got a bit of give and take, but, it should have pockets and that to stay afloat or whatever, it should have stronger line though ..... and strong points on the outside of the raft, so that it would be safe. Stronger sea anchors 'cause ours broke, I don't know how the other guys were.

Q65 The sea anchor?

A Yeah. But we still had - - -

Q66 When you say it broke, did the anchor itself break or the line?

A The anchor itself.

Q67 Anchor itself.

A Yeah, 'cause we pulled it in and it still had the ..... there and, and the clip, but no sea anchor.

Q68 Right. O.K. And the amount of safety gear that was in the life raft, were you happy with that or -?

A I think they probably could ..... a bit more rations, I'm not sure how much we actually lost overboard, but we had, I think, three packets of water and in each one there was about a half a litre, maybe less, I'm not too sure how many flares we actually lost, but I guess, you know, you could never have too much safety gear.

Q69 Yeah. So, what you're saying that there's very limited storage on the raft to keep those things - - -

A Yeah, there was no problems at all.

Q69 - - - .....

A There was just one bag with all the, all the gear in it, with the rations and everything.

Q70 I understand it was a four-man life raft?

A Yeah.

Q71 How did you find having four men in it?

A A joke.

Q72 Right.

A Yeah, even the, the people that rescued us thought it was a two-man or one-man life raft. Yeah, we were

constantly, like, as if you were sitting on the ground with your legs tucked into you, and that's how it was the whole time.

Q73 And, I understand you had to constantly bail it out?

A Yeah.

Q74 Because of the hole.

A Yeah. There was no bailer as well, that was the other thing, we had to use my sea boot to bail and a bag that we had provisions in, and that's when we had the fitting on the pump had gone overboard, you're meant to put a fitting on the end of the hand pump to be able to plug in it, why, I don't know, but you should just be able to plug it straight in, but we had to work out the way to do it, which we did, thank goodness, that was also pretty hectic.

Q75 All right. Anything about the race itself? Anything you want to say about recommendations there that you -?

A No, you know, when I was going downstairs to get rest and stuff, you could hear the calls over the radio for strong wind warnings and, you know, big seas ahead and constantly hearing, you know, whereabouts it is and when it's hitting each place, but no.

Q76 Any criticism of the organisation of the actual race?

A Well, being the first one, I don't know what it's normally like, but no, it's all right.

Q77 All right.

A Yeah.

Q78 And just, I asked you already, but, the, the decision



for the boat to continue was never discussed that you'd

- - -

A No.

Q78 - - - turn around or - - -

A Not that I knew, no. Maybe John Stanley and Richard, they were the two senior guys on board.

Q79 But nothing to your knowledge?

A No. I mean there was no need for any, the boat was going sweet.

Q80 M'mm.

A Handling very well.

Q81 O.K. And do you know the make of the raft?

A .....

Q82 O.K. All right. Anything else you want to say?

A ..... thank you to the rescuers if they can hear this, which they probably won't, but yeah.

Q83 You never know. Anything ..... O.K, just a couple of - - -

A Sorry, I'm a bit sort of out there with the, I'm still a bit lost for words, you know.

Q84 That's quite O.K. Just a couple of formality questions. Is there anything further you wish to say about it at all?

A No, no.

Q85 Do you want to make a written statement in relation to it?

A No.

Q86 O.K. And, just a quick question, you've answered all

these questions of your own free will?

A Yeah.

Q87 No threats or promises or inducements have been held out to you to give answers recorded in the statement?

A No.

Q88 O.K. All right, Michael, well, that's your statement and I'll cease the statement now. The time is 11.11 on the 29th of December, 1998.

A No worries, thank you.

Q89 Thank you.

INTERVIEW CONCLUDED