

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stuart Gray and Mr Darren Senogles at the water police office in Pymont. The date is the 7th of January, 1999, Thursday. Also present and seated to my right is Senior Constable David Upston from the New South Wales Water Police. The time on my watch now is 1.38pm, do you agree with that time, Mr Senogles?

A Yes, that's right.

Q2 O.K. As I've already explained to you Senior Constable Upston and myself are making inquiries in relation to the recent Sydney to Hobart Yacht Race, and in particular in your case a yacht by the name of Sword of Orion, in which a man by the name of Glyn Richards was
- - -

A Glyn Charles.

Q3 Sorry, Glyn Charles was washed off that boat. What I intend to do is ask you some questions in relation to that, that particular incident.

Q4 O.K. Basically if you could just give me your full name?

A Darren Paul Senogles.

Q5 You're date of birth?

A 19th of March, 1973.

Q6 And your current address?

A 20 Morgan Avenue, Tumbie Umbi.

Q7 And your occupation?

A Look after the boat, boat maintenance.

Q8 O.K. Now if you can just give me some background, so far as your sailing experience?

A I've been sailing all my life, I started in dinghies when I was about six or seven, progressed up through the junior classes into the 16s, 16 foot skiffs, then continued on into yachts with my father, and then just sort of got a name for myself and it went from there.

Q9 O.K.

A Sailing yachts for quite a while.

Q10 O.K. So far as the Sword of Orion, did you have a particular role on the Sword of Orion, prior to the race, were you involved with maintaining it?

A My job was to get the boat prepared for the race, make sure everything was in perfect working order, make sure all the safety equipment was on the boat, which had to be passed by the Yacht Club anyway, just making sure it was all in order. Provisioning of boat as far as water and fuel goes, and, and yeah, that's about it.

Q11 Were you actually present when a check was made on the boat?

A I was.

Q12 And what did that involve?

A Well, that involves just someone from the Yacht Club coming out to the boat and randomly asking for things.

Q13 O.K.

A Such as, where are your flares, so we had to show him where our flares were, where our safety kit was,

medical kit was.

Q14 Mm.

A Things like that, not, not everything just certain things, there wouldn't have been enough time to go through everything, so they just random pick things.

Q15 Mm.

A And we showed 'em where they were, and they were happy.

Q16 As far as the flares are concerned, are you able to give me a sort of date, expiry date, were they in date?

A They were in date, and no, I can't give you the exact date of expiry.

Q17 That's fine.

A But that's all checked by the Yacht Club. We had a safety check about two months before - - -

Q18 All right.

A - - - the Hobart race.

Q19 O.K. So far as what type of flares were on board?

A Six parachute flares, I think four white, four red and two smoke, I think, orange smoke.

Q20 O.K. Basically as I explained it, if I could just get you to sort of tell us in your own words from the time the race started on the, 13.00 on the 26th, and the time you were rescued.

Q21 O.K. Gun went bang, we had a fairly untidy start, so we weren't as well up in the fleet as we would've like to have been, by the time we got to the sea mark. So we got to the sea mark and beared away and headed south, in about 10, 15 knot noreaster, nice sailing

breeze, and had a few things to tidy up on the boat, which we did that afternoon, just general maintenance, tidying it up, making sure the boat was all housekept good. As we got down the coast we sort of, went a little bit to see of the runway, to pick up he better set, and it pushed up down the coast pretty quick. The breeze freshened, that night to 40 knots, still from the noreast, still with the spinnaker up, and we were charging along quite well. The breeze backed to the, the north as the evening got older, and we ended up jibbing when it got the west side of north, and running into the coast, because we knew that the front was coming through. As we sort of neared the coast the breeze went to the west, and at that stage we had to, to harden up a bit, trim up, start going more onto the wind, 'cause the breeze went just south of west, and it stayed there for quite a while. Got to I guess 40 knots, still 40 knots, stayed that way for quite a long time, the next morning it was 40, 40 knots again still, maybe a little bit more. Then all of that day up until about 10 o'clock it sort of, from 10 o'clock on, it started to gust up to 50 knots, we had a little bit of sails at this stage, we had two rigs and storm jib. And then the breeze died a little bit, back to 30, so we went back to a full main and a number three, for about 15 to 20 minutes, then we went straight back to the number two, two reefs and, and a number five headsail. And within about half and hour

from that we were back to the storm jib, and then not long after that we went to just a storm jib, 'cause we had 50 knot, 50 knots, and so we were just sort of in survival mode again at that stage, still racing, didn't want to do any damage. So at that stage we had minimum crew on deck, 'cause there's not point in tiring everyone out, and exhausting everyone, and the breeze picked up as the afternoon went on, sort of 12 o'clock on, picked up to 50 to 60 knots constantly, and then it got 60 knots constant, gusting to 70, to 75, nearly 80 knots, but that was only in gusts, averaging out at about 60, 65 knots for the period. Then it was, we had decided that things weren't that well, weren't that flash, and we talked about what we going to do, and what the forecast was. And whether we should keep going, and the, the general idea on the boat was to sit it out and keep going, do the sked, listen to what everyone had to say, and then make our, our mind up then. Just before the sked the breeze died back out again, it dropped right off, and within about half an hour it had picked back up to 60 knots again, it was just like, and eye, the eye of a, of a storm, it wasn't actually the eye of the storm it was like a little cell, which we ran into a couple of. And so we did the sked which took quite a long time for us, because we were helping a few other boats out, there was one boat missing, hadn't done a sked for two skeds, and we just picked them up, so we left the relay vessel know that

we had them and they were well, that was the Ausmaid. And then Team Jaguar was in quite some trouble, and they weren't contactable by the relay vessel so we helped relay to them as well, and we also tried to get the relay vessel to find out what, off other yachts in the race what conditions they had. We gave our conditions, 'cause we felt it was the safe thing to do for the fleet behind us, 'cause 80 knots was just silly for the rest of the fleet to run into, and having done that, a lot of boats pulled out after we reported our weather. Another boat close to us, I don't know, I think it might've been Yendys, reported similar breeze, so we weren't mucking around, we were telling the truth. And we tried to get the race control boat to find out off the boats ahead of us what breeze they had, but somewhere along the line, they either didn't hear what we said properly, or it just never happened, we couldn't get any information on what was further down the track in front of us, so we just became the yardstick for everyone to, that's what we're in for, and no-one could tell us what we were in for, so we had to guess. So, while the breeze was at 60 knots we were quite happy to keep going, and then the plan was if the breeze got over 60 knots, that that was it, we'd pull out, because we didn't know whether getting away from the, from the coast, that the breeze would die out, or, we didn't know what was going to happen, so, we kept plodding along and then when the breeze got over 60

knots we decided that was it, enough's enough, and we, we turned around. So that was probably two hours after the 2 o'clock sked, there was Glyn on deck, and Carl Wilson, then a few others came up on deck, and I was one of them to go up on deck and help jibe the boat, and we turned the engine on and had the engine in gear as we jibed the boat, so we had full steerage and full momentum the whole time, the jibe was quite good, no problems at all. When, before we jibed, we had the boom lashed to the deck, because the mainsail was down, and as we were pulling the main down earlier, the vang strut, which holds the boom up off the deck, it broke, it collapsed, which meant that the boom then could sit on the deck, 'cause it wasn't held up in the air any more, so we lashed it to the port side of the boat, with a sail tie it was tied on with. And so then we'd left it there, and we jibed the boat, and it took, when we got the boat settled down again and heading back to, we were, had all plans of heading to Eden, but after we came through the jibe it wasn't safe to head to Eden because of the angle of the sea way, so we headed just high of Eden, to, just to sail a safe course. With the intention of, heading into the coast, as we got into the coastal seaway it died down and then we could pull away and run with the seaway a lot more safer. So, once we settled the boat down, Glyn was steering, Carl was on deck, Adam Brown was on deck, I was on deck, the three of us except for Glyn who was steering lifted the

boom from one side of the boat to the other, it took three of us to do that, it was quite heavy. And we lashed it to the starboard side of the boat, this time I lashed it with 10 mil spectrum rope, I lashed it to a strong point and we tidied the boat up a little bit, just bit of boat maintenance and house cleaning. Glyn was happy steering, I sat beside Glyn and just steadied the boat and make sure everything was all right with him, just set up properly. Carl and Adam went downstairs and they helped clean up downstairs and just make sure everything's in order down there. At, at the same time Rob, the owner and the navigator was in the chart table, looking at what our course was, and he questioned our course, as to why we were steering so high a course. And the response was just to play safe with the seaway, we couldn't steer down 'em, we had to go across them or into them, and he was happy with that, and then I got called. So we've been sailing for probably 15 minutes, with, on this, on the head back to Eden course, and Glyn and I were sitting on the side of the boat together, he was steering, I was sitting, just in front of him, and sheltering the, the wind and the weather from him, 'cause it's hard to look into it all the time. And we were just having a chat about things, and he was happy with what was going on and, and we were quite comfortable. And I was just looking over my shoulder, and looking back to him talking and then looking over my shoulder at the waves coming, and if

there was a bad wave coming, I'd say, they're coming, there's a bad wave coming Glyn, just steer up a little bit into this one. And that happened probably three or four times, and then that was fine, we could steer up to, in to 'em over them and back onto course, and then I got called to the companionway, to talk about the course and how, what course we thought was safe to steer, so this is 20 minutes after we'd turned around. So, Glyn was steering the boat, he was sitting on the side of the boat by himself at this stage, we were both harnessed on, he was harnessed onto a strong point, and I was harnessed onto the lazy jacks, which run up along side the boat, the full length of the boat. When I was in the, in the hatch way just outside the hatch we, got hit by a, a big wave, which we were beam onto, and it tipped the boat onto it's side, the boat slid down the wave, on it's side, and when the boat got to the bottom of the wave the boat continued to roll over. As the boat was sliding down the face of the wave, I'm assuming, and this is, I've had a lot, I've thought a lot about this, that that's when the boom broke free of the, the side of the boat, that's come across, wiped the wheel out, the wheel's probably 6 foot in diameter, so it's quite high, and it goes from one side of the boat to the other. When the boat rolled onto it's side, I think Glyn's fallen off, fallen into the, into the centre of the boat, and the booms come across towards him and it's wiped the wheel out, and it's also

picked Glyn up, and then taken him back to where he was sitting, at this stage the boat's rolled over completely and the mast has broken, and it's now over the side of the boat, on to the port side of the boat, the boom's come from the starboard side, to the port side of the boat, wiping the wheel out, and Glyn, and the boom was gone with the rig over the side of the boat, and I think, I'm only assuming that that's what has wiped him over the side of the boat, and that's what broke his harness, remembering that it took three of us to pick it up and put it from one side to the other. So then the boat's righted, and it's up the right way again, I've managed to scramble back to my feet and the first thing I did was looked for Glyn, I couldn't see him on the boat, I looked over the side of the boat, he wasn't hanging on the side of the boat, I looked back in the water and 30 metres behind us was Glyn, in the water. I screamed, "Man overboard", and three guys came on deck, and then I was screaming to Glyn to swim back to the boat. He did freestyle for all of six strokes and then, and then that was all he could do, I, I imagine he didn't realise he was hurt and then when he actually started to move his arms he realised he was hurt. And then from that time on, that was probably 15 metres away from us now, there was two other guys on deck, Simon and I had our eye on Glyn the whole time, I screamed for the guys to get me a rope, 'cause I was gunna jump in the water and swim to him.

But the time, he was just treading water, by the time I got a rope tied to me, another big wave came through and the boat surfed and washed further away from Glyn, and by the time I had the rope tied to me, and that wave had gone through, he was 100, 150 metres away from us, I couldn't swim 100 metres in a pool, let alone in a surf like that, and when I was in the water I wouldn't have had any chance of knowing where he was. So, at this stage Glyn was just treading water, and just staying over, above the surface of the water, and at times starting to dunk under water. After about a minute or two he was spending more time under water than on top of the water, and after five, five or six minutes we were starting to lose sight of him, and seeing him on the top of a wave, so we'd come up onto the wave and then we could see him, then we'd go down and we couldn't see him, he was probably two waves away by now, and I can remember seeing him, both Simon and myself saw him on the wave, and then I saw him go under and then we went, lost sight of him, 'cause we went down into a trough, and we came back up and there was no Glyn, he, he'd gone down, he didn't come back up. At that point I said to Simon that there's nine other people here, the mast was wrapped around the port side of the boat and that we had the chance of the mast punching a hole through the side of the boat and sinking us as well, the, the boat was pretty badly damaged at this stage, so, but the hull was still

sound, so I, Simon stood there and he kept, just kept looking in the area where Glyn was for 15 minutes, and no sight of him, but he kept looking, me and, and a couple of other guys we started to get rid of the rig, started to cut it away, that took all of, I guess, 30 to 40 minutes to cut away, the rigging and all the halyards and everything. At this time there were Guys on the radio downstairs, calling Mayday and they were starting to bail the boat out downstairs, 'cause they didn't know whether we'd actually damaged the hull, we didn't know where all the water had come from, the main hatch blew in as we, we rolled, which is where all the water washed into the boat, but that's easy to say now, I didn't know at the time. So as soon as all the guys downstairs, there was injured man, two injured guys, so they weren't much help, so there were guys downstairs bailing the boat out, there were three or four of us on deck cutting the rig away. One of the guys, Andrew Parkes, he set off a few parachute flares, to mainly let Glyn know that we were still there, even though he wasn't, and with the chance of another boat maybe seeing, seeing the flares, which, I don't know if they did or they didn't. Once I got rid of the rig, I was then called downstairs to look for any structural damage in the hull, any penetrations in the hull, so there was just sails everywhere, so, we just threw the sails over the side of the boat to make room and clear the space out downstairs. The life rafts were put in

the, in the, in cockpit, the EPIRB, once the rig was gone was put into the water, because they need to be in the water to work properly. I looked for any damage to the hull, I couldn't see any, so it was just a matter of bailing the water out, so we spend another hour and a half continuing to bail the water out. While I was downstairs the guys who were on deck were looking for other boats, planes, anything that could be around, maybe, 'cause we had no radio contact with anyone. Our HF radio was not working, and the only radio we had working was VHF, the HF has got wet, got water in it. They saw a boat, and they identified the boat as the Margaret Rintoul, and they fired flares so as they could see us, and we had no response from that boat. So, that boat just kept sailing past, and that was, that was it with them. About an hour after they went past, which was probably an hour and a half after the accident happened, we managed to get contact with, I'm not sure if it was a plane or a helicopter, but because they were in the area, they heard our distress signals on the VHF, they were close enough, and they came looking for us and they said, "As soon as you see us set a flare of". And as soon as I saw it, I was on deck at this stage, again, as soon as I saw the plane I set a red, orange smoke off, and they saw us and they came past at low level and tilted their wings as if they were waving, and then, then it was just a matter of waiting to see what the next move was, and still

cleaning the boat up at this stage. We set a sea anchor, just to keep the boat so it was pointing into the waves, so we had more chance of not being rolled again, put the, the orange V sheet in the cockpit, so as we were easily, easier spotted. At this stage most of the flares had been used, they used quite a lot of flares when the yacht went, Margaret Rintoul went past us to try and get there attention, nearly to the extreme where they were firing flares at them, but they weren't, just towards them. And so they used, I think, Andrew Parkes fired four parachute flares and one white flare, and Nigel fired one parachute flare, which didn't work, three white flares, a red flare and an orange smoke. And none of that was seen, that left us with, it doesn't make sense, but it left us with one flare, the other flares were lost in the water, or, I'm not sure, but the one flare I had, we had left was the orange smoke which I used to let the plane know that I'd seen him. So then we all went downstairs, after upstairs was tidied up, and we were safe in the seaway, and continued to clean up downstairs. Rob's leg was put in a, a brace, 'cause it was thought that it was broken. Adam Brown, he was put up in the four peg, because we thought he had a broken shoulder, and there were a few guys who were not handling it that well, bit sick and maybe in shock. Most people had a rest, just had a, just had a, a rest, 'cause we had a lot on. Carl was on the radio still, trying to get some

contact, not knowing what the sea plane, what the plane had done and whether he was coming back or what. And we were just listening to that quite carefully. We, we still had the GPS working, so we kept plotting our position on the chart, not knowing then the battery was gunna run out, so we just kept plotting our last position, all the time, every 10 minutes. And I, and two other guys kept bailing the bilge out, we got the water down to within a it was constant but we had to keep bailing to keep it down low. So we put two guys on bilge watch, and we just spent an hour or so bailing, then you'd go and have a lay down. We had a, just on, as the sun went down and it got dark, we managed to get the, the oven working, the gas oven, and we had some meat pies, we put them in the oven, and we had a warm pie, and a warm cup of coffee or whatever. We talked about, at this stage life jackets had been handed round and we had life jackets on, we talked about what would happen if we had to get into the rafts, who would do what, how it would be done, and then it was just a waiting game, we all had a rest for a while, someone was sort of keeping an eye out for other boats, just through the companionway. I managed to get the companionway lid and fix it on top of the hatch, so no water came in through there, which stopped a lot of water. And we waited for quite a while, and a helicopter came over, a couple of hours later and said, "We don't have enough fuel to lift you off, but

we'll be back in a couple of hours to lift the injured off". They knew our, our position at that stage and what the condition of the boat, and they knew it wasn't safe to be on. So, they left us, and they came back, they said it was two hours, but it seemed like a lot longer, it may have been two hours, I don't know. And they came back and it was about 2.00am, and they said we want to lift the injured off, but first we want to lift someone off who's not hurt, quite fit, and just to test and see how it's all going to work, 'cause it was still dark. And so I was the first person to be lifted off the boat, followed by Nigel and then Steve Kulmar. The lift didn't go that well, it was, Steve Kulmar nearly drowned, he was in the water for quite a long time, and in the end, the, a diver had to go down to get him from the helicopter, where as we were just, we put ourself into the sling and lifted, and then we were lifted out of the water, he had to be helped. And at that stage we were running low on fuel and I told the guys in the helicopter that the two injured guys just wouldn't be able to do what we had just gone through. So we said, at this stage there was another chopper coming out, to see the boat, so we headed back to Merimbula, and the other chopper went out and stood on stand-by for two hours until it got light, and then the rest of the crew were lifted off. And, and that's the last we saw of the boat.

Q22 O.K. There's a couple of, or a definition, can you

give me a definition of the runline?

A The runline is a straight line from the, the starting point, which is the sea mark off North Head, off South Head, to Tasman Light, which is a direct course, it the direct course from Sydney to Tasman Light, a straight line.

Q23 All right. O.K. So far as weather reports, were you privy to any weather report prior to the race?

A Was I, sorry?

Q24 Were you privy to any weather reports prior to that?

A I, that wasn't my department, I was not in charge of that, but I was briefed, the whole crew were briefed on what, roughly, on what we were in for, but that wasn't our concern.

Q25 It wasn't.

A Other guys on the boats job.

Q26 Was there any concerns about the weather, so far as the crew?

A No. You go to Hobart, you expect 50 to 60 knots.

Q27 Now when you said at one stage there was a minimal crew on, on deck, who was that?

A It depends because it changed a lot.

Q28 Right.

A Because you could have so many people downstairs resting - - -

Q29 Yeah.

A - - - you changed it quite frequently, so, like and hour, hour and a half upstairs - - -

Q30 Yeah.

A - - - and then four, five hours downstairs, it was
 - - -

Q31 O.K.

A - - - it was quite cruisy. That changed quite a lot,
 there was Adam and Steve up there at one stage, Adam
 and Andrew Parkes, and then there Carl and Glyn, then
 when we turned around it was Glyn and myself.

Q32 All right.

A Glyn hadn't been up there that long before we turned
 around.

Q33 All right. So basically, when you talk minimum crew,
 it's a minimum of two?

A Yeah, just enough to steer the boat, and one to, and a
 mate.

Q34 Right.

A To look after each, look out for each other.

Q35 O.K.

A And just keep each other company and, and two sets of
 eyes is better than one.

Q36 Yeah. And so far as wind's concerned, the wind speed
 were you told about the wind speed or did you sort of
 estimate it or -?

A Before the rig broke we had instrument and we could see
 the wind speed on the displays.

Q37 And as you said they were 65 to 70.

A Constant 60s.

Q38 Yeah.

A Before we turned around it was gusting to 70, to 80.

Q39 Yeah.

A Not quite 80 knots, just less.

Q40 O.K. Now, so far as the Margaret Rintoul is concerned, did you see the boat yourself?

A I was downstairs looking for damage to the hull.

Q41 O.K. Are you aware of any distance that was given between the Rintoul and the Sword?

A I was told two to three waves - - -

Q42 All right.

A - - - away. And I was also told that that would about 100, 150 metres.

Q43 O.K. Now how long had Glyn Charles been steering for, prior to the roll over?

A He'd been steering, while we were in the race for about half an hour.

Q44 Right.

A And then we turned around and 20 minutes is when the accident so, 50 minutes.

Q45 O.K.

A Still quite fresh.

Q46 So he was fairly fresh and in good spirits?

A Yes, yeah, we were talking, and kidding, and joking and - - -

Q47 O.K.

A - - - and everything was normal.

Q48 Now, just for the layman, you might I have to sort of simply describe the companionway to me?

A The companionway is the main entrance from the deck to downstairs on the boat, which is a sliding hatch - - -

Q49 O.K.

A - - - for the storm board which goes up and down, vertically.

Q50 Now, you said that Glyn was fixed to a strong point, can you explain what a strong point is?

A A strong point is something that's, it's a, it's a, it's a fixture on the boat which is bolted down to one of the strongest parts of the boat. It's you could just about lift the boat out of the water with these points.

Q51 O.K. And you mentioned that you were strapped to a lazy jack, was it?

A Yeah, it's a line which runs from the back of the boat - - -

Q52 Yeah.

A - - - to the front of the boat.

Q53 Yeah.

A One of the dangerous things with not being clipped on, or being clipped on is if you have to go to the front of the boat, and you can't reach, the, 'cause the lanyards are only a metre long.

Q54 All right.

A You've got to continually unclip, now in those points of unclipping there's a chance of you being washed overboard.

Q55 Mm.

A So you have a line which runs from the back of the boat to the front of the boat, and there's no need to unclip.

Q56 All right.

A So, I was connected to that.

Q57 O.K. And that's a rope is it?

A That's, it's about an inch webbing.

Q58 All right. O.K. Now, you said the boat inverted, how long, how long was the roll over for, like the duration?

A The whole things took about five seconds, and we were upside down for all of two seconds. I had enough time to think, we're upside down, what am I going to do, and the first thing I thought to do was to undo my harness, now just as I grabbed my harness the boat flipped back up again, luckily I didn't unclip.

Q59 Yeah. So did that leave you outside the boat?

A I was on the deck.

Q60 Right.

A But forward of the coach house, forward of the companionway.

Q61 O.K. And Glyn was gone, obviously.

A Glyn was out the back of the boat, 30 metres away.

Q62 Right.

A Now, throwing a sling to him would, would not have worked because it would just blow back in our face.

Q63 Yeah.

A And there was no rope we could throw to him either that

was long enough or, no-one was physically strong enough to throw it that far.

Q64 Yeah. And so far as you saying that he's, you saw what appeared to be six strokes of freestyle, was that two arms?

A Yes.

Q65 O.K. Did you see him, could you visibly see him from 100 metres away?

A Not all the time.

Q66 Right.

A Because at that stage he'd be on the other side of the wave.

Q67 O.K. Now do you recall what sort of clothing he was wearing?

A He was wearing yellow wet weather gear.

Q68 Yeah.

A Which I, I think, I don't know if he had a dry suit on, or just wet weather gear, but it would've been yellow pants, with a, a yellow top.

Q69 All right.

A And with a harness on the outside of that.

Q70 And did he have, he had boots on as well?

A He had dinghy boots on, yes.

Q71 All right. Now what was the light like at that particular point of time, when he's sort of come off?

A Quite good.

Q72 Quite good?

A Yeah.

Q73 Was it - - -

A Overcast afternoon.

Q74 All right.

A It was fine.

Q75 O.K. Now can you tell me what sort of life raft is actually on board that Sword of Orion?

A We have two six man life rafts.

Q76 All right.

A In bags, and they are stored downstairs.

Q77 All right.

A When we need to take 'em on deck we take the lanyard up, tie the lanyard on and then put them in the deck.

Q78 All right. O.K. Now the batteries on board the Sword of Orion, are you able to tell what sort of batteries they are?

A They are three, I'm not sure if they're gel cell batteries or not. I think they are gel cells, don't ask me what the technical terms for all that means.

Q79 That's all right.

A They were stored under the main galley - - -

Q80 Yeah.

A - - - in a, in a, in a box.

Q81 Yeah.

A And that would probably be the only dry part of the boat.

Q82 O.K.

A There were two, two house batteries, ran all the, the power for the boat, and there was a separate battery

which started the engine.

Q83 O.K.

A And when you start the engine you turn all the battery keys on, that charges all the batteries.

Q84 O.K. Now, what were the conditions like when you were being rescued, so far as wind and rain and -?

A I can only guess that the wind was still 50 knots.

Q85 Right.

A 50 to 60 knots, judging on how it was when we were sailing.

Q86 Yeah.

A It was raining, it was dark, the seaway was, maybe not as bad, but it was, it was getting bad again.

Q87 All right.

A We'd, after sorting all out mess out, and were downstairs, the breeze died out, it was like the eye of another cell.

Q88 Right.

A And that gave the seaway time to calm down, that was when the, the helicopter come over and said, "We can't pick you up now, we'll be back in two hours".

Q89 Mm.

A Well, in that two hours the breeze picked up again, and the seaway got bad.

Q90 Right.

A So, by the time he came to pick us up it was, I, I'm guessing 50 knots again, and the seaway was still quite bad, again.

Q91 O.K. So far as you mentioned that Steve Kulmar spent some time in the water, what was that?

A I don't know, I was in the helicopter - - -

Q92 O.K.

A - - - I just remember sitting in the helicopter and knowing it was taking too long, there had to be something wrong.

Q93 All right.

A And they were hovering and they were trying, I could see the guys dropping the line to him and in the end one of the guys threw everything down, and jumped into a harness himself - - -

Q94 Yeah.

A - - - and lowered himself into the water to get Steve.

Q95 All right. Now was that a military aircraft?

A It was a Navy chopper.

Q96 All right. O.K. Now, you bought along a, a harness, a orange harness which I believe was, - - -

A That's the lanyard for the harness.

Q97 That's the lanyard for the harness.

A That is the one that was - - -

Q98 O.K.

A - - - connected to Glyn.

Q99 Righteo. So, basically it's a, like a seatbelt type material.

A M'mm.

Q100 And I take it there's two caribbeanas.

A That's right.

Q101 And this one obviously is missing one caribbeana.

A That's with Glyn.

Q102 Now, so far as the fastening of the, of the actual harness lanyard itself, that's done by some sewing, folded over, and there's a couple of strong points added to it.

A Yeah, that's right.

Q103 And you agree that on the other side that it's all been shattered and sort of torn off.

A Yes, torn off, yeah.

Q104 All right. O.K. I've got nothing else.

SENIOR CONSTABLE UPSTON

Q105 The, you also brought along a complete harness.

A Yeah.

Q106 Is that similar to the harness - - -

A It's exactly the same as the one he was wearing.

Q107 O.K. Could you show us that harness, please?

A Yeah. Here you go.

Q108 Now in the, the harness itself, where we've got on the, on the lanyard and the two caribbeanas, as we call them - - -

A M'mm. Yeah.

Q108 - - - there is a, a strong stainless steel ring.

A That's correct.

Q109 Now, for the purposes of, of our conversation, obviously that wasn't retrieved and - - -

A It's with Glyn.

Q110 With Glyn, that would still be with Glyn as far as you

are aware.

A That's correct. Yes.

Q111 And also on that harness there are two stainless steel buckles - - -

A Yeah.

Q111 - - - approximately 20 centimetres by 75 centimetres, and what are they used for?

A That's actually 75 mil - - -

Q112 75 mil, I'm sorry?

A - - - by 25 to 30 mil.

Q113 By 25 mil, yes. And what are they used for?

A They are used to adjust the, the strap around your waist, so it's not loose, you can make it firm to you, that's adjustable fitness.

Q114 And is it normal practice of this to be - - -

A That's correct.

Q114 - - - fitted?

A Yes. That is the, the adjustment goes around the waist and the other two straps go over your shoulder.

Q115 All right. And, and how long have you been employed by the owners of the Sword of Orion?

A I have been employed to look after this boat since the end of August.

Q116 O.K. And these harnesses, were they on the vessel at the time you took over, over - - -

A They were.

Q116 - - - looking after it?

A Yes.

Q117 And is it your job to maintain these and make sure
- - -

A It's my job to maintain everything on the boat.

Q118 O.K. And as far as you're concerned that, that these
harness and lanyards were in good order - - -

A Mate - - -

Q118 - - - prior to commencing the race?

A - - - I started work on the boat, after the boat was
delivered back from Hamilton Island, so one of the
first things to do to the boat was to clean the boat up
and get it back into order. Now part of cleaning that
up meant washing all the life jackets, hanging them out
to dry, washing all this equipment, harnesses and what
have you, and letting them out to dry.

Q119 And at any time that you may see some fault or and
irregularity to the harness or lanyard, what would be
your position then?

A Report that to the, the owner, and suggest it be
replaced.

Q120 And none of that was done at the time?

A None of needed replacing.

Q121 There was no need, there was no need for that at all,
like, all the harnesses, as far as you were concerned
were in - - -

A The boat, as soon as we - - -

Q121 - - - operating order?

A Yes. As soon as we had the boat tidied up, it just so
happened the boat was due for it's annual safety

inspection, the safety officer also checks that, and says, no it's not good enough or yes it is good enough. And everything was good enough.

Q122 All right. And are you aware that the vessel prior to the race, on a number of occasions was taken out of the water at and slipping was performed?

A I was in charge of that.

Q123 O.K. And you were present all the time that the vessel was being slipped?

A That's correct.

Q124 O.K. Was any underwater restructuring done to the vessel, was anything done to the keel or to change or alter the, any, any underwater running gear, or -?

A There was no alterations done, the keel was taken off the boat, and the bolts, the keel bolts were die tested. Now while that was being done the rig had been taken out of the boat, and the rig was completely die tested as well and checked, and there was a new, a brand new rudder fitted to the boat, because we damaged the old one on the way to Hamilton Island and had a replacement rudder in, and we went back to a brand new racing rudder.

Q125 And as far as you were concerned everything in that vessel and the underwater structure was sound?

A Correct.

DETECTIVE SENIOR CONSTABLE GRAY

Q126 Just one thing, what type of life jackets are on board the vessel?

A From memory, they're Taft life jackets.

SENIOR CONSTABLE UPSTON

Q127 And how many life jackets?

A Eleven.

Q128 And are they simply placed over the, the head?

A Over the head with a strap around the waist, yes.

Q129 O.K. Now just for the record, the lanyard which we have, which is off Glyn Charles is actually labelled, number nine, Sword of Orion. Is there anything further you'd like to say in relation to the whole incident, you'd like to add, or, your views your feelings?

A There were probably a few things, safety issues, I don't whether they are something that needs to be talked about with the police, or, with the governing bodies of the yacht race, things such as personal EPIRBs maybe should be carried.

Q130 Yeah.

A Possibly even double lanyards on the harnesses.

Q131 Yeah.

A I think a better communication system.

Q132 Right.

A In my view from talking to other people, people were trying to listen, some people had contact with what was going on with us, but there was so much traffic on the radio that they couldn't actually hear it, and the traffic that was getting heard was just jargon anyway.

Q133 Yeah.

A I also think that there should be some sort of course we should all have to do, as far getting from the boat to the helicopter, I, I almost thing they assumed that we knew how to do that, which we didn't, and that caused trouble with the first three guys. Yeah, that's about all.

DETECTIVE SENIOR CONSTABLE GRAY

Q134 O.K. The time on my watch is now 2.21. Do you agree with that time?

A Yes.

Q135 This interview is now concluded.

INTERVIEW CONCLUDED