

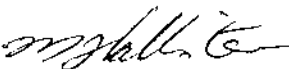
STATEMENT in the matter of:  
Fatalities in Sydney-Hobart Yacht Race

Place: Crime Scene Section  
Queanbeyan Police Station  
Date : 11 February 1999


Name: Phillip John DANIELS  
Address: Crime Scene Section  
Occupation: Plain Clothes Senior Constable of Police

Tel. No.:  
STATES:-

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in court as a witness. The 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 for prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.
2. I am 33 years of age.
3. I have been a Police Officer for 13 years and commenced duty as a Crime Scene Examiner at the Queanbeyan Crime Scene Section in April 1996. I attend crime and incident scenes with the aim of locating, recording, collecting and evaluating items of relevant physical evidence. I am also responsible for arranging further scientific examination of these items if required. I am presently in my fourth year of study for a Diploma of Applied Science, Forensic Investigation.
4. About 10.50am on Tuesday 29 December 1998 I went to the Pambula District Hospital with Detectives GREY and STEVENSON from Bega Police Station.
5. About 11.15am I made a visual examination of the deceased, Michael BANNISTER, in the hospital mortuary. Mr BANNISTER had bare feet and was wearing a red rainsuit with various layers of clothing underneath. A "Taft" brand "Flote rite MK III personal

Witness:   
M. J. CALLISTER  
DET SEN/CONST  
QUEANBEYAN C.S.S.  
151 2 199

Signature:

  
P. J. DANIELS  
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flotation device" was secured around his upper body. I saw several abrasions on his neck and chin which appeared consistent with having been caused by the neck of the flotation device while it was over his head. I also saw an amount of white froth bubbling from his mouth.

EXHIBIT


I PRODUCE 9 COLOUR PHOTOGRAPHS numbered 1 to 9 which show the body of Michael BANNISTER, the flotation device, abrasions and layers of clothing.

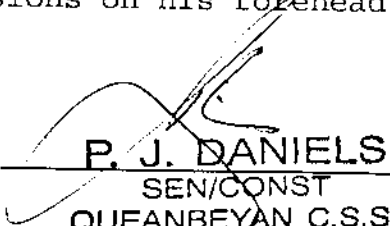
6. While at the mortuary I also made a visual examination of the deceased James LAWLER. Mr LAWLER was wearing green socks and a red coloured rainsuit with various layers of clothing underneath. A "Driclad standard life jacket" was secured to his body by a strap which had slipped down over his legs. I saw a CO2 gas operated whistle on the left breast of a vest worn by him. The whistle appeared to have been activated. I saw abrasions under Mr LAWLER'S chin which again appeared to have been caused by the rubbing action of the life jacket while it was over his head.

EXHIBIT

I PRODUCE 10 COLOUR PHOTOGRAPHS numbered 10 to 19 which show the body of James LAWLER, the life jacket, whistle, abrasions and layers of clothing.

7. About 9am on Wednesday 30 December 1998 I went to the Greenseas wharf in Eden where I took a number of photographs of the damaged yacht "Business Post Naiad". The mast was broken in two places and there were several cracks in the deck on the port side. I saw the body of the deceased Phillip SKEGGS lying in the cockpit. A safety line was clipped around his waist and attached to a metal fitting. I saw a number of abrasions on his forehead,

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chin and bridge of his nose.

EXHIBIT

I PRODUCE 13 COLOUR PHOTOGRAPHS which I have numbered 20 to 32 inclusive and on each I have placed a description.

PHOTOGRAPH 20. VIEW OF THE "BUSINESS POST NAIAD" UNDER TOW ALONGSIDE POLICE LAUNCH "NEMESIS"

PHOTOGRAPH 21. VIEW OF THE YACHT AT THE GREENSEAS WHARF FROM THE BOW END.

PHOTOGRAPH 22. VIEW OF THE YACHT FROM THE STERN END.

PHOTOGRAPH 23. VIEW TOWARDS THE BOW SHOWING THE BROKEN MAST, BEND IN THE BOOM, AND ENTRY TO THE CABIN.

PHOTOGRAPH 24. VIEW OF ONE OF THE BREAKS IN THE MAST.

PHOTOGRAPH 25. VIEW ALONG THE PORT SIDE OF THE DECK SHOWING THE LOCATION OF THE CRACKS AND BROKEN PORTHOLE.

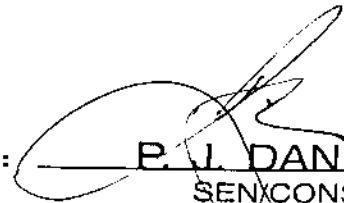
PHOTOGRAPH 26. CLOSE UP VIEW OF CRACKS AND BROKEN PORTHOLE.

PHOTOGRAPH 27. VIEW OF THE DECK FROM THE BOW SHOWING SECOND BREAK IN MAST AT LEFT OF PICTURE.

PHOTOGRAPH 28. CLOSE UP VIEW OF SECOND BREAK IN MAST.

PHOTOGRAPH 29. VIEW OF THE STERN END OF THE DECK SHOWING THE DECEASED, PHILLIP SKEGGS AND RIGGING.

*M. J. Callister*  
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PHOTOGRAPH 30. FULL LENGTH VIEW OF THE DECEASED LYING IN THE COCKPIT.

PHOTOGRAPH 31. VIEW OF UPPER TORSO OF DECEASED SHOWING SAFETY LINE CLIPPED AROUND WAIST.

PHOTOGRAPH 32. CLOSE UP VIEW OF THE DECEASED'S FACE SHOWING VARIOUS ABRASIONS.

8. Below deck the cabin was in a state of disarray and I saw cracks in the port side bulkhead adjacent to the area of cracking in the upper deck. The deceased, Bruce GUY was lying on his left side in the lower port side bunk. I saw area of lividity and pressure pallour which were consistent with the position in which he had been lying for a lengthy period of time. I also saw what appeared to be an abrasion on his forehead and darker areas around his right eye which may have been pre-mortem bruising.

EXHIBIT I PRODUCE 10 COLOUR PHOTOGRAPHS which I have numbered 33 to 42 inclusive and on each I have placed a description.

PHOTOGRAPH 33. SHOWING FURTHER VIEW OF RIGGING ON DECK AND VIEW DOWN INTO THE CABIN.

PHOTOGRAPH 34. VIEW ALONG THE STARBOARD SIDE OF THE CABIN TOWARDS THE BOW.

PHOTOGRAPH 35. VIEW ALONG THE PORT SIDE OF THE CABIN TOWARDS THE BOW

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PHOTOGRAPH 36. VIEW ALONG THE STARBOARD SIDE OF THE CABIN TOWARDS THE STERN.

PHOTOGRAPH 37. VIEW SHOWING LOCATION OF CRACKING IN PORT SIDE BULKHEAD AND LOCATION OF THE DECEASED BRUCE GUY.

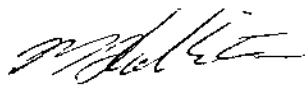
PHOTOGRAPH 38. CLOSE UP VIEW OF CRACKS IN BULKHEAD.

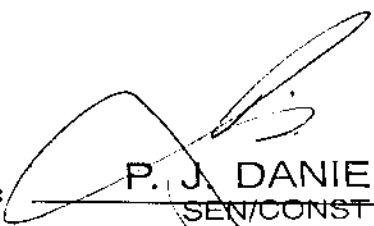
PHOTOGRAPH 39. VIEW ALONG PORT SIDE OF CABIN TOWARDS THE STERN.

PHOTOGRAPH 40. VIEW OF THE DECEASED LYING ON THE LOWER BUNK.

PHOTOGRAPH 41. MID RANGE VIEW OF THE DECEASED'S UPPER TORSO AFTER REMOVAL FROM THE BUNK.

PHOTOGRAPH 42. CLOSE UP VIEW OF THE DECEASED'S FACE SHOWING APPARENT ABRASION ON FOREHEAD AND DARKER AREAS AROUND RIGHT EYE.

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