

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stewart Gray and Mr Stephen Keal at Hobart CIB office on Saturday, the 13th of March, 1999. Also present sitting to my left is Senior Constable Dave Upston from the New South Wales Water Police. The time by my watch is now 1.56pm. As I explained to you, Mr Keal, Senior Constable Upston and myself are making inquiries in relation to the 1998 Sydney to Hobart and some of our tasks have been to speak to, to various people involved in the race directly and indirectly.

A M'mm.

Q2 And the reason we'd like to speak to you today is in relation to your involvement insofar as having a boat entered in the race and the experiences that you had during that race and any comments you'd like to make in relation to the race. But, first of all, if you could just start ..... for the purpose of the record, could you please state your full name?

A Stephen John Keal.

Q3 And your date of birth?

A 27/12/47.

Q4 And your address?

A 145 Tranmere Road.

Q5 And your occupation?

A I'm a ..... planner.

Q6 O.K. Now, you had a boat entered in the Sydney to

Hobart Yacht Race?

A .....

Q7 And the name of that boat was?

A Cyclone.

Q8 O.K. Could you give me some details in relation to that boat, its history?

A Yeah, the boat was built in 1989 and she was built to be probably a regatta boat, a regatta boat. She was really not built to be an ocean racer. She was built very strong to last, we had a very strong rig in the boat and the boat was purely designed to, to go fast and the boat sort of held up to its name. The boat was supposed to be a champion boat and lived up to its name, but in later years got made redundant, I guess, with the new IMS rule. So the boat has been around for a while. She's done three Sydney to Hobarts, I've done two and the boat finished quite well in each, in each case and the boat is a very, very good boat.

Q9 O.K. And what's the length of the boat?

A The boat's 50 feet long.

Q10 Yep, and how heavy would she be?

A She weighs 9 tonnes.

Q11 O.K. Now, for last year's race you had how many crew?

A We had 17. Normally we would sail this boat in an ocean race with 14, but with the extent of some of the crew that we had there was a lack of experience on board and a lack of youth, I thought it would be sensible to overload the boat and come down with a few

extra, so hence we had 17.

Q12 All right. And how did the crew go so far as the race was concerned, any seasickness or any major dramas?

A Yeah, we had, we had the little bits of seasickness that you normally get on board boats. Cyclone being so light, she's very lively and tends to make you seasick, seasick anyway. But there was nothing, sort of, dramatic. There was little bits of seasickness that you'd normally get, but most of the guys were O.K.

Q13 O.K. There were no injuries?

A No injuries.

Q14 O.K.

A Nobody got hurt at all.

Q15 Now, so far as, what I'd like to do is if I could take you to the 27th, basically, when the storm started.

A Right.

Q16 If you could just take us from there and tell us what happened in relation to your boat?

A O.K. Well, we were expecting breezes between 45 and 50 knots and the forecast was, the last forecast we heard was the sked before and, which was 2.00am in the morning, I think, and we were sailing probably at about 35 to 40 knots of breeze. It was a nor'-wester at that, at that stage, going down past Ulladulla, that area. We were travelling fairly fast, we had the spinnaker on and we knew the breeze was going to come somewhere from the south and they were forecasting sou'-easterly, but we thought with the nor'-westerly

wind it was more inclined to come either from the south or from the sou-west. So consequently, we sort of took a western favour, or favoured the western side of the runway. Early next morning, I remember early next morning, probably 6 o'clock as I went off, the breeze was actually fading out and we were sailing down past Eden or towards Eden and the breeze was around about 17 knots and actually fading and we felt that we'd probably gone through the worst of it and we were actually going to have a fairly easy crossing across the strait. I spoke to Ken Batt before I left the CYC who is the guy from the meteorology and he was saying to me that, that with the weather pattern that they had had, this was just before the start, the weather pattern that they had, we could either be in 70 knots of breeze or paddling across with no breeze at all. So ..... just really unsure about what the weather conditions would be. So when we got in that light spell going down past Eden, Gabo, we thought that we were through the worst of it, in close to the shore, sort of hugging the coast and we thought that the, the worst of the weather was behind. The next shift came up on board and there was talk about sort of shaking the reefs out, we had one reef in the main, even in 17 knots ..... still had the number three, they were talking about going up to a larger sail strength, larger sail, changing gears on the boat, when one of the fellows noticed a storm pattern, we were getting

along probably towards 11 o'clock and didn't like the cloud pattern that he could see in front of him and we decided to leave the rig as it was. Within 10 minutes they were sailing probably in 50 knots of breeze and the breeze just got stronger and stronger and stronger and we thought that we would probably go through an hour or two of this, as you do, these fronts, and it would go through and after sailing two or three hours and the breeze sort of sitting around a constant 70, between 70 and 80 knots, we knew that this breeze was going to continue and we were going to have a hard bash across the strait. At that stage the boat was copping it fairly hard. She was leaping out of the water over these waves and we had a round table conference to find whether we should run off with it or, or poke the nose, poke the boat straight up into it, and we felt it would probably be safer just to feather the boat through the sea. That was fine, the boat felt quite good and she was sailing quite nicely, but every now and again she'd just drop off one of these waves and we felt that the waves were probably up around the 30 to 40 feet high mark and at times we knew the boat was airborne because Cyclone's quite a quiet boat inside, sorry, quite a noisy boat inside without any fit-out, and you can hear the water rushing past the boat quite, quite vividly, and at times the boat was just deathly silence and you knew the boat was airborne. And, of course, with the strength of the breeze too at times you were knocked

flat and the boat would come down and lay flat on the side. We'd put up with quite a few hours of this, I s'pose we travelled two to three hours and the breeze didn't abate at all, it kept, kept coming at us and the inside of the boat started to become a hell of a mess. A lot of things that we had sort of pinned to the wall and things on the shelves were now sort of laying on the floor and water was coming down through the boat in, down through the hatchway, Cyclone being a flush deck boat, very difficult to keep the water out of the boat at this stage, so we had a man sort of on the pumps and on the buckets the whole time feathering it out or washing it out. We'd also gone around and tidied up all the sheets and tried to sort of get most of the loose stuff off the deck. Around 1 o'clock the boat went through probably the worst of the waves, or got caught, caught on one of the worst of the waves, caught the spinnaker pole in the racing position, swept it round and took the stanchions and the pulpit right back to the, to the centre of the boat. The boat continually sort of started to get wet, more wet inside. We had more people bailing the boat out and things like fire extinguishers had broken off the wall and one of them had actually gone off inside the boat. So the boat was a dreadful state down below. At one stage one of the fellows noticed that the deck was actually lifting off the deck beams and I went down and had a look and I noticed that every time the boat sort

of took a lurch and the, the rig started to, to whip that the deck was actually lifting around 3 inches. We changed the crew over ..... quite some time over this three hours and I thought that probably half an hour was enough on the helm, the concentration, we were all very tired anyway from the night before, it was a hard sail the night before with the spinnaker and half an hour was probably the maximum you could actually steer the boat for. So we were changing the helm over quite regularly, but eventually it was starting to get to the stage where the guys didn't want to get up to steer the boat, they'd had enough, they were tired. So we thought this was a good time to turn the boat round, go back to Eden. We got everybody up on deck, we checked to make sure there was no lines and we started the engine. At this time it was around sked time, it was around 3 o'clock and we turned the radio on. It was only then that we realised that there was a lot of other boats in strife too. The news of, what was the first boat that we'd heard of, Sword of Orion was the first boat that we heard that was in fairly bad trouble, and it gave us an indication that there was a lot of boats in the same situation that we were, if not worse. Calls were getting worse, the calls and the Maydays through the, through the sked were really quite frightening and there was a lot of people on board the boat I felt that were probably fearing for their lives, particularly ..... with the way the deck and the

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way the boat started to break up. So we decided that the boat had to go back. We started the engine and after turning the boat around which really took some time, the boat didn't want to go round, as I mentioned earlier. She was blowing so hard at this stage the boat just sat head to wind and it was really quite an effort to get this boat round. But once the boat did go round and the motor was going the boat really felt quite comfortable. It was still blowing around 75 to 80 knots, the sea was really quite flat, but I felt that the, the blades on the motor probably slowed the boat down a lot. And at this stage we felt that the boat was in, you know, fairly good control and we felt that, you know, that we were fairly safe. The stories that we were getting on the radio, by this time Winston Churchill had put a Mayday in, Naiad, Business Post Naiad had a call in. There were several other boats that had called in, all Maydays through this sked that was going on at the time. We were 35 miles south of Gabo, so it took us 9 hours or 10 hours to get back into Eden, and 17 very relieved fellows once we got that boat back. We got back to Eden around about midnight and the hospitality there was just great, I would like to say. But as far as safety was concerned, I felt that we could do all we did or all that we did we could possibly do on my boat. I felt there was enough experience on board the boat. I felt also that physical fitness was way down and it, I think that



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youth and physical fitness does really play a big part, particularly when the weather gets to that degree. I mean, anybody can sail a boat to Hobart if you get your 35 knots of breeze anyway, but get your 80 knots of breeze with the boat sort of tossing around and fatiguing you, I really feel now that if I ever did another Sydney to Hobart I would really make sure that there'd be a lot of youth and the physical fitness was right up to the nth degree. If there was 50 year olds like myself I'd make sure that they were as fit as a 30 year old.

Q17 What would have been the average age of your crew?

A I reckon the average age of this boat was probably 48, 48, too old. Too old. I, I would have like to have sailed the boat as I would have done in many of the other races that I've done. I've got probably 50 ..... and I've got the bulk of the crew probably between 20 and 30 years of age, and they were the drivers of the boat. It's good to have the experience, but you've got to have the young people there to work the boat for you. At one stage when the rails were off the side of the boat I had a, I had a crew there that were just looking at it. Now, it wasn't until I got up on deck and actually said, "That rail's got to come in", O.K, be wound up and bound up to the boat, that it was actually done. So, you know, people were physically tired and I know that they wouldn't have normally done that, but the situation that we were in,

they were quite happy just to sort of let it just sort of bang alongside the boat.

Q18 So was it a combination of the fatigue of the crew and the fact that you saw the lifting of the deck that made you turn back?

A Yeah. Yeah. I really believe, even if the deck hadn't have broken, the boat had have been sound, I would have still retired, probably an hour later, we'd have probably gone through another hour, but I think that this boat would have retired purely through fatigue, nothing else.

Q19 And that's in crew fatigue?

A Crew fatigue. That's what I really feel.

Q20 Do you think fear in, in the crew also had a major play as far as wanting to do anything?

A No, I think there was enough expertise there amongst the older crew to settle a lot of them down. Some of the people surprised me aboard the boat. There was a lot of people there that have sailed with me for quite a while did panic and there was a period there that the fire extinguisher went off, that the life rafts were grabbed and put up on deck and they were scrambling for life jackets. There was a little bit of panic there in the crew. But, but I felt really there was, there was probably no overall fear that we were going to lose our lives on board this boat, not at any stage, but there was periods that there was panic.

Q21 Now, so far as the weather reports that came to you

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during the race and any other communications that were made with Telstra command and that sort of thing, were you happy with that?

A (NO AUDIBLE REPLY)

Q22 Have you got any comments on that?

A Well, I, I think they should be able to get a clearer weather pattern and we could have been warned a lot earlier that the breeze was going to be a lot stronger than 50 knots. And I don't think that I would have taken my boat across the strait if I knew that there was going to be 80 knots of breeze.

Q23 Is that right?

A No, no. In fact, I made a comment to the crew that before if there was going to be 35 to 50 knots of breeze we'd pull in at Ulladulla or Eden on the way through and wait for the storm, but we kept going, but that was through sheer tiredness in the end.

Q24 Were you aware of anybody else who indicated that to their crews, so far as predicted wind speeds?

A No, well, I just know that on my boat that we were expecting 35 to 50. I don't know what the other boats expected. I think another thing that we could think of is we sail these boats to Hobart without our radios on and the only time the radio goes on, and I think this is fairly similar with most boats, the only time these radios go on are at sked time. You turn them on to get the weather report and that is it, and the rest of the time you're sort of just working on sheer gut feeling

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and I think that probably if our radios had been on earlier we'd have probably got a better forecast.

Q25 Now, so far as coms themselves, like I mean, not so much the content of the messages, but the clarity and, you know, the transmissions and that sort of thing, were they satisfactory?

A Fine.

Q26 No problems .....

A Yep. There were some boats having problem, difficulties, but I thought that was because they had lost rigs or lost aerials or things like that, but there was quite a few boats out there that were obviously having difficulty. Business Post Naiad was one of them. They were transferring their message through Yendys back to base, but that was obviously because they had lost their rig. I feel that that was probably the cause of it. I think the radios worked fine.

Q27 Right. Now, what sort of radios did you have on board?

A I've got a Coden. I think mine's the latest model Coden, that's the one we're using today.

Q28 All right, that's a HF radio?

A HF.

Q29 And did you have a VHF radio?

A Had a VHF as well, yeah, yep. We turned both of those on, you know, in the storm we had both radios on.

Q30 Now the batteries on board the boat, what sort of batteries are they? Just offhand.

A I think they're 176 amp hours, is that right, those real big batteries like that.

Q31 An enclosed unit, are they, or a -?

A They're an enclosed unit.

Q32 Were they a wet cell though or a dry cell or are they a gel acid battery?

A They're a completely sealed battery, so you can't put water in them or anything. I mean, is that a dry cell, I don't know.

Q33 Yep. Now, so far as GPS is concerned, did you have hand held as well as - - -

A Yes, I did, yes, I did. The bloody GPS broke down, I was really annoyed - - -

Q34 The hand held or the - - -

A No, no, the hand held was O.K.

Q35 Yeah.

A But my plotter broke down, I bought a plotter specially for the race and it broke down, they've replaced that, but I was damn annoyed about that and that, they reckon that was through moisture in the aerial. I was not impressed.

Q36 Now do you plot your positions on a map as you go or -?

A Yes, we do.

Q37 You do, O.K. Now, so far as flares, what type of flares were you carrying on board?

A Just the standard flares that, that you need to carry for that race.

Q38 All right.

A I think they're six rockets, you've got your four reds, your four whites, your four, you know, just, just what we need to carry we carry.

Q39 Now, were you aware of a life raft and flare demonstration at the Cruising Yacht Club some days prior to the race?

A Yeah, look, yeah, I think I did, but I didn't go and see that.

Q40 Did any of your crew go - - -

A No.

Q40 - - - that you're aware of? Now, putting yourself in the situation where you had a crew that was fatigued and maybe some may have been suffering a bit of fear - - -

A Yep.

Q40 - - - how do you think, and it's a hypothetical question, but how do you think they would have coped in discharging the flare?

A Look, I think there would have been enough people on board the boat to discharge a flare. There's a lot of expertise on board the boat. I know, talking for myself, I mean I've got no problems in letting off a flare, I've let them go.

Q41 Well we've certainly gained some experience from, you know, a lot of these interviews where people who have been in distress - - -

A Yeah.

Q41 - - - have got flares and - - -

A           Yep, think what the hell do I do with this.

Q41         - - - ..... have held them and bits and pieces  
              ..... - - -

A           I can relate to that. I can relate to that.

Q42         That's the reason I asked you that, that's all.

A           Yeah. But I really feel that there was enough  
              expertise on board the boat, I mean, I think I had  
              about 60 years experience of Sydney to Hobarts on board  
              that boat out of the 17 crew, so - - -

Q43         That's good.

A           You know, so there, there was a lot of experience.  
              Guys like Roger Howlett has, you know, sailed to Hawaii  
              on lots of boats and he's been in distress before on a  
              boat so -

Q44         Now, in relation to that damage that you showed us on  
              the inside of the hull, now it's a carbon hull, isn't  
              it?

A           Yeah, it's a carbon .....

Q45         Now, was that damage as a result of a combination of  
              hits on the boat by waves or was it, or was it the  
              result of one, do you think?

A           I, I think it was the result of one, but I think there  
              was others that helped it - - -

Q46         Yeah, helped it along.

A           - - - after that. I think it was one that did it and  
              then a couple other after that just, just broke away.  
              That wasn't visible, that wasn't really visible either  
              at the time of the race. I mean, that wasn't the

reason we retired.

Q47        Yeah.

A            Had we known we'd, we'd have probably been a little bit more frightened than we were.

Q48        Yeah.  So in fact that damage was discovered when you were back - - -

A            In Eden.

Q48        - - - in Eden.

A            Yeah.

Q49        O.K.

A            The powder, the white powder from the fire extinguisher was just over everything.

Q50        ..... how did that go off?

A            Well, it, it fell off the wall.  I mean all the boat's carbon, even the walls or the bulkheads are carbon and there's really nothing meaty for it to hang on to.

Q51        Right.

A            So these were hanging on the normal bracket that they hang on the wall and this was the 4 kilo fire extinguisher - - -

Q52        Yeah.

A            - - - and, of course, when it hit the wave just the weight of the fire extinguisher just broke it off the wall.

Q53        Right.

A            So the mounting and everything just pulled through the carbon.

Q54        Right, and that set, and it set off, did it?



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A           Once it landed the impact of it landing just set it off.

Q55         Now, is there a pin in that - - -

A           Yep.

Q56         There is a pin in it as well?

A           Yep, yep, that's right.

Q57         Have you still got that?

A           Yes, I have, it's on the boat.

Q58         Well, that's, that's interesting, you know, with a pin in it you wouldn't expect .....

A           For it to do that, no.

Q59         Have you had it recharged - - -

A           No, I haven't.

Q59         - - - since that time?

A           No, I've just left it as it is. It's still on the boat. I'll give it to you if you want.

Q60         We'd like to have a look, yeah, I wouldn't mind having a look at that at some stage.

A           Yeah.

Q61         Just, just getting back to one thing, did you, at the time that you decided to turn around in the height after the, listening to the radio sked and the problems that were associated with other yachts - - -

A           We'd actually turned around before that.

Q62         O.K.

A           Yeah, we'd, we'd turned around and the sked was actually after we turned around, so we'd turned around.

Q63         All right. Did you see any red flares at all or did

you -?

A No.

Q64 You didn't see any at all?

A No. Look, I really feel you'd be battling to see anything in that weather.

Q65 Yep.

A There was a mist, you wouldn't have seen a boat 20 feet from you. I mean, I, I heard somebody say, Sword of Orion was going crook, they reckon they saw a boat sail right past them and remember, you're sitting there in your wet weather gear and you're looking away from the weather because you can't look into it and you're probably looking at what's happening around your boat anyway, you wouldn't see a boat 20 feet away from you.

Q66 Yeah.

A It's not like on a clear day where you can sort of sit around and just look around. You're looking away from the weather, so if a boat sailed to weather of him you wouldn't see him at all.

Q67 Even if you did see him for a glimpse you feel that it wouldn't be long before you lost sight of him anyway?

A That's correct. That's correct, and I really don't know what you could do in those sea conditions anyway. You couldn't go up to another boat and help anybody. You could certainly stand by, but I can't imagine, I couldn't imagine going up alongside of another boat in those weather conditions and getting somebody off, it'd be bloody hard. The only thing you could do is just

-  
toss a line to them and, you know, drag them in one by one. I mean that's the only thing that I could think of to get people off a boat.

Q68 Now, what type of life raft did you have on board?

A I had an RFD, two RFD life rafts. I had one that was a 12 man and the other one was a six man.

Q69 And they were stowed below?

A No, one was up on deck, another one was down below.

Q70 Right, O.K.

A So when that fire extinguisher went off the one down below was up on deck real quick.

Q71 So are you aware whether anybody on board your boat had ever deployed a life raft before?

A No, I hadn't, I certainly hadn't.

Q72 Did you have any safety talks with your crew in perhaps deploying a life raft prior to the race?

A Yeah, look, we, we had quite a few talks about safety and we talked about things like the life raft, but I was more concerned about things like personal gear, personal strobes, personal life jackets with the flotation and the lights and the, you know, the built in strobes, well, sorry, the EPIRBS on them, and our safety talks were more, revolved around those type of things.

Q73 Right.

A Getting blokes back on board your boat if they'd fallen off.

Q74 So you had procedure for a man overboard?

A           Yep, yep. We talked about all those type of things, however actually sort of getting into a life raft, no. No.

Q75          Now that takes me to harnesses and lanyards. What, did you have a stock standard harness on board - - -

A           Yeah.

Q75          - - - for the people, the crew?

A           Yeah. There was some people that had an all round harness that they wore the whole time, you know, like, even when it was calm they sort of put it on over the tops of their shorts. So there was quite a few of the crew that wear those all the time, but basically we just wore the Australian Standard harness that you buy from .....: so they were the, were the main content of the harnesses on board, apart from those ones that the forehead hands and that wear.

Q76          Now what about, sorry, what about life jackets?

A           Life jackets, I had those, those inflatable ones - - -

Q77          O.K.

A           - - - like the aircraft use.

Q78          Yep.

A           And they were all sort of checked - - -

Q79          Right.

A           - - - just before we did the Sydney to Hobart.

Q80          I show you a document here that's headed Yachting Association of New South Wales Safety Equipment Compliance Form Category 1 and 2, and it's a series of points with boxes and ticks and numbers - - -

A           Yep.

Q80          - - - also present on that thing, on the form.

A           M'mm.

Q81          Would you agree that that form is of your vessel Cyclone and, in fact, your owner's name was placed at the top of that form?

A           Yep. I actually was there when they did this.

Q82          O.K. I draw to your attention item 5.2 where it says, "Safety harnesses AS2227 or similar" - - -

A           Yep.

Q82          - - - and the numbers.

A           Yep.

Q83          Now, at the time of checking it's, there's a figure there, what, could you tell me what that figure is?

A           There's a 10 on there.

Q84          Right. And that in fact goes to flares, but what I'm saying is 5.2 at the bottom of this list, 5.2, it says, "Safety harnesses" - - -

A           Have you got the original of this?

Q85          I believe, no, I haven't, but this is a photocopy of it.

A           O.K. On the back of this if you go back to the original - - -

Q86          Yes.

A           - - - you'll find that there's comments on every one of those on the back of there that Peter signed, O.K, and I had one of the Sydney to Hobart safety officers on board my boat that came down that signed all those off

- - -

Q87 O.K.

A - - - with the right amounts at the time.

Q88 I notice that to the right of the columns there is some areas here where it's circled with the letters "PTO" on it, O.K, can you see that to the right-hand side?

A Yep, yep, I can.

Q89 But go right down to item here, item 6, item 5.2, safety harnesses - - -

A Yep.

Q89 - - - it's got the number 6 - - -

A Right.

Q89 - - - beside it and a tick with no PTO or anything like that. Have you got an explanation to why that there was only six harnesses viewed at the time of the signing of this document - - -

A Yep.

Q89 - - - when you carry 17 crew?

A Yep, because a lot of the fellows have got their own harnesses that brang them on the day.

Q90 O.K.

A So there would have been a note over the back there to say that there's 17 harnesses, that they'll be viewed by the safety officer on board my boat at the time of the race.

Q91 O.K.

A O.K. Now, that was done for the ..... Island race, the ..... Island race is done on the, I think it's

around about the 20th of November, from memory, and what I did was really bring my boat up to scratch. I got the safety officer to do this so he didn't have to come back and do the boat again to do the Sydney to Hobart, O.K. The race is really only a category 2 race ..... Island race, O.K. So, there was a lot of stuff that I knew that I had that wasn't actually on board the boat when this fellow did this.

Q92 Right.

A O.K.

Q93 And were in fact the rest of those harnesses checked prior to the Sydney to Hobart Yacht Race?

A Most certainly, most certainly. Richard Latham was the other safety officer, one of the recognised safety officers who does the boats for the Sydney to Hobart and he's sailed on board my boat.

Q94 I notice a photograph that you showed us earlier with two men in the photograph, one wearing a yellow wet weather jacket and the other wearing an orange wet weather jacket. Both men attached to safety harnesses and lanyards attached. The gentleman in the photograph wearing a orange wet weather gear with an RFD inflatable life vest has got a rope lanyard attached to a shackle to the O-ring in the harness. Is that a similar harness or similar lanyard that would comply with an Australian Standard?

A As far as I know, that rope would have an Australian Standard on it. I mean, all the safety harnesses have

all got Australian Standard on it, the little square triangle.

Q95 Yes. O.K.

A O.K.

Q96 No further questions.

SENIOR CONSTABLE UPSTON

Q97 Now just something out of the blue here for you. Your IMS stability index for your boat, your stability index says 127.7 as you can see there and your calculated limit of positive stability is 127.1. Now, obviously you being the owner/skipper of the boat you are aware of that, you're aware that that's the stability index and the calculated positive stability.

A Well, if it's on the. - - -

Q98 Yep.

A - - - the certificate - - -

Q99 On the certificate.

A - - - yep.

Q100 So you're fully aware of that. Is it the case that every person in your crew is aware of those figures?

A That certificate is freely available. I guess, it's available for their viewing if they wish to see it, yep, I, I guess so, yeah.

Q101 O.K. So it's available for them to see it, but are you aware if they have seen it?

A Some of them have, some of them haven't.

Q102 O.K. Right, I'm just trying to get an idea of whether they're aware of that, that's all. But if they have



seen it, would they be familiar with the letters and the numbers and - - -

A The meanings.

Q102 - - - all that, would they, would they - - -

A No.

Q102 - - - understand what the, what the certificate means?

A No, no. I mean, some of these people are just crew men, they're not boat builders. I wouldn't expect them to know.

Q103 O.K.

DETECTIVE SENIOR CONSTABLE GRAY

Q104 That's fine. Is there anything you'd like to say or any views, opinions or ideas you have of the race other than what you've told us?

A Yeah, I think that radios should be left on the whole time throughout the race. I think that boats that are probably close to another boat in distress should be sent to that boat to stand by in a race like this. Not that that would sort of help people save their lives, I guess, but I mean it would be very comforting at times to know that there's another boat close by if you were in strife. I think the weather reports need to be better than they are. I think with today where you can sort of get fairly accurate satellite reports, that there should have been a lot more warning about that storm than what there was. I think safety, personal safety has got to be looked at. I think things like personal strobes should be compulsory to crew members.

I think your own safety harnesses and things like that should be your own responsibility, not the responsibility of the owner. Yeah, I think that's about, that's about all I've got to add.

Q105 Would you like to see some sort of formal training so far as life raft deployment and flare discharge prior to - - -

A Look - - -

Q105 - - - ..... of all crew to - - -

A Look, after a race like that you'd be foolish if you didn't.

Q106 You'd certainly agree with that though?

A Yeah. Well, look, I've got no desire to do another Sydney to Hobart ever again after that and I am not keen to put my boat or my crew at that type of risk level ever again. And, although most of the people on board the boat, even these two guys that had never done the race before, they're keen to do it again. You can talk to anybody aboard my boat, they want to do it, but I've got no desire at all to place my boat ever again in that situation. It really brought home to me too, you know, I went to the, to the service that they had and I mean the six people that were lost could have been six people off any one of those boats in that Sydney to Hobart, could have been one off mine, as simple as that. And I heard stories that were just amazing that, that I can relate to. Like, I heard a fellow actually fell off the side of the boat and he

was on the end of his life line, dragged himself back on board the boat, there were six people sitting there on the crew on the rail just watching him. Nobody went down to help this bloke get back on board the boat again for fear of them being in the same situation themselves at the same time and, well, I mean, it's frightening stuff.

SENIOR CONSTABLE UPSTON

Q107 It's a fairly horrid thought, isn't it?

A Bloody oath. Can you imagine it? Can you imagine it?

Q108 Well, I couldn't imagine sitting there not helping somebody, but - - -

A I can't either, I mean, but, but I mean, for fear of it, you know, and you think, well, if I go down and help this bloke I'm gunna be in the same situation myself.

DETECTIVE SENIOR CONSTABLE GRAY

Q109 O.K. I'll just quickly show you a document here, it's the Application for Entry form for the 1998 Telstra Sydney to Hobart Yacht Race.

A Yep.

Q110 Would you agree that the writing on the front of that form is for your vessel, Cyclone?

A Yeah .....

Q111 And your writing appears on it?

A Yep.

Q112 O.K. I'll go to page 2 of that document, there's three names, one yourself - - -

A           Yep.

Q112       - - - one Matthew Keal and a Richard - - -

A           Latham, yeah.

Q112       - - - Latham.

A           Yep.

Q113       Those, of course you sailed in it, the other two sailed  
            in the race?

A           Yes, yes.

Q114       O.K. O.K. Anything else you want to say?

A           No.

Q115       O.K. The time is now 2.34pm, this interview is  
            concluded.

INTERVIEW CONCLUDED