

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stewart Gray and Mr Brian Emerson, on Thursday, the 11th of February, 1999, at the Cruising Yacht Club of Australia, in Rushcutters Bay, Sydney. also present and seated to my right Senior Constable David Upston from the New South Wales Water Police. The time on my watch is now 11.35am. As I've already explained to you Mr Emerson, Senior Constable Upston and myself are making inquiries in relation to the 1998, Sydney to Hobart Yacht Race, and we've been to speak to a number of people involved in the race, either directly or indirectly, and that's why we're here today.

A Understand.

Q2 Firstly, if I could just get you to place on the record your full name.

A It's Brian Noel Emerson, and it's Dr.

Q3 Yes.

A Do you want my address?

Q4 Yes, and your date of birth.

A 20th of the 3rd, 1938.

Q5 And your current address?

A I reside at number 36 Waramoo Avenue, St Ives.

Q6 And your occupation?

A I'm a safety engineer, or university lecturer in safety, I've actually resigned as of last March, from, full university work, and I operate a consultancy now,

offering expert opinion mainly for courts in accident investigation and analysis. For example, last week I was lecturing in Hong Kong on contract, lecturing a course that I actually put together which was a master's degree in safety management, and that was originally put together for the University of Western Sydney, and we market it successfully in Hong Kong, and I've been going backwards and forwards for the last five years lecturing risk assessment and systems safety risk management and a favourite subject I'd call the accident phenomenon, but it's all to do with the causation of accidents and I've specialised in that for the last 26 years, I'm an ex national president of the Safety Institute of Australia and I'm still in the federal management executive and I still serve on the New South Wales division executive and I'm a past president, or president for four years of the New South Wales division, so I have a, you know, career in safety for the last 26 years, really.

Q7 O.K. Now in relation to your sailing background, can you give me some -?

A Well, as a young man, in my 20s, I was involved in, just dinghy type sailing, and I suppose it's, I'm now 60 years of age, so I suppose I've been involved in the water sport of sailing for over 30 years with various boats and I had a lot of fun with a, with a Moth, and I have a Lazy E, and a Northbridge Senior, and you know, all of those, we raised four kids and they all

became involved in, in dingy racing, the small spinnaker stuff. 10 years ago, time gets away now, probably about 12, 13 years ago, I bought my first 30 foot Elingworth yacht, that was like an ocean style yacht, and we've been sailing that for a few years, and then I had a 34 foot Roberts yacht that I attempted to get to Hobart on a couple of occasions, we got swamped in Bass Strait on a number of occasions, but it was not a very competitive boat, but a, you know, a good strong solid old boat, and - - -

Q8 Mm.

A - - - certainly didn't get into any, any trouble at all, but, I've had a few goes at the various club races, I'm not a, I'm not an avid racing person, I've been a member of this club for years, but I'm interested more in the, in the cruising - - -

Q9 Right.

A - - - division, my boat was really a, a cruising boat, a big solid cruising boat, rather than a lightweight racing boat, and obviously it was a fairly heavy handicap, well being a heavy boat, it had a, you know, a reasonable handicap.

Q10 Mm.

A And it was, amuses me to note, that I was, I think we were 21st out of 38 on the, on the third sked on correct time, on the actual handicap, but that's what makes it, you know, interest, interesting race.

Q11 Mm.

A Because you can be in a slower boat and still - - -

Q12 Mm.

A - - - have your performance measured. But I've certainly enjoyed the sport, it's in the blood, my grandfather was commodore of the Sydney Flying Squadron, who were the pioneers of the 18 footers, but, he raised four sons, and he died early. He was a sea, sea farer, master of vessel, ferry master, decorated twice for bravery in the sea actually. And he died, I think from exposure, Bright's disease, and left the four kids, my father was 12 when he died and he to grow up through the depression, so there was no possibility of any sailing.

Q13 Mm.

A In fact my, one of my uncles, actually, it's Robert's father-in-law, Gordon, who you recently interviewed, he was my uncle Jack. He had this passion of the sea, but the best he could afford was to go backwards and forwards to Manly, But anyway, like sailing sort of well, well into the, into the system, we, we just had my great grandfather put on the maritime wall, which I thinks a great idea. And he was Albert Russell Emerson, and he was a, came across as a mariner, but he was one of the pioneering people of the oyster industry in, in the Georges River, so I guess, you know - - -

Q14 Mm.

A - - - the family's always been that, my dad had me in a boat when I was small kid fishing, and it's just something I've always had a - - -

Q15 Yeah.

A - - - a keen interest in. But, I've never been so fussy about just racing around the buoys, the reason for this is, they, they get out there, they panic, they scream at each other for about two hours and then they're back in the bar drinking and, you know, I'd rather get out and enjoy the day, and park somewhere and stay over night and - - -

Q16 Mm.

A - - - up and down the coast and that sort of thing, you know.

Q17 Mm.

A That was the, the sort of sailing, you know, I, I enjoy, but, but, you know, I like the competitive spirit of an ocean race.

Q18 Mm.

A You certainly get a buzz out of a, a race like the Hobart.

Q19 Mm.

A Probably do it again.

Q20 O.K. Now the boat that, that you took to, or entered into the Sydney to Hobart last year, was the Milintinta.

A Mm.

Q21 That's right. Can you give me some details about that

boat, when you purchased that boat and it's construction?

A Yes, I purchased it September, 12 months, that's '87. It's a Ron Swanson genuine built, he was one of our greatest boat builders, the boat was confirmed a genuine Ron Swanson by Jim Swanson, who's alive and still surveying boats. I spoke to him about the boat, that's been a lot of moulds and a lot of fake Swansons built since, this one was a proper one and extremely well founded and I'm absolutely amazed the hull got breached because it had steel in construction, and the thing, it's a registered Australian ship, and it had a registered weight of 19.8 tonnes, and I think a displacement of over 12,000 pound, I'm just not sure how that correlates really, but that the figures on the, on the boat. But it was an extremely solid boat with heavy sponsons, with steel capping on the sponsons fitted to the thing, and extremely well founded, I bought the thing off Sydney Yachting Centre for 145,500, it was, I had been looking for nine months for a suitable boat, and this one was at a price that was, I thought was out of my range, it was originally 160, but we got it down to the 145,5. And I had done a fair bit of work for me company in the mean time, so I was able to sort of bridge that, that gap, but we brought the boat mainly as a retirement project, I had, I knew the boat had been to America and back and performed rather well, it was a very, the Swansons as far, as far

as a sea boat are probably one of the best regarded in Australia, and a lot of them are over in Europe at the present time and this one had travelled to America and back and it had been in the '76 and the '77 Hobart race. And as far as I was concerned, it was a boat that would get, you know, on a trip to Hobart with a relative breeze.

Q22 Yeah.

A Now since buying the boat in, in the September, I became very busy for the next six months, working, mainly to pay for it I'd suspect, but that's probably what happened, I didn't do a huge amount of sailing on the thing. Just, you know, just a weekend hopping around and that. Now, we refurbished everything that, you know, I thought was a, a requirement, to be done, the, the hull, I had no questions of at all, and I looked at that out of the water, in fact I did make mention of photographs if you'd like to - - -

Q23 Yeah, certainly.

A - - - take those for the record.

Q24 Yeah.

A I don't think you're going to see a, you know a stronger, stronger type hull built. The sponsons that you can see on the side of the boat are, are solid teak with stainless steel 3/8 stainless steel by about an inch and a quarter, very, very solid. Now, I looked at the boat just a number of days before the boat when we anti fouled it, and I couldn't see any, any sign of any

structural problems, neither could the shipwrights that did the work. And I did everything as far as I was concerned for the, the safety of the boat, I'm a bit fanatical on, on safety obviously as I do it for a living, I, I pay tribute to the rigid inspection that I went through by the club safety officer. Sorry, just, his name escapes me but he's - - -

Q25 David Lawson?

A No, it was one of the guys working for the, Andy, sorry, his name was Andy.

Q26 M'mm.

A I've just forgotten his surname, but we went over absolutely everything, and, you know, to the extent of your on and off switches on your, on your diesel for your, for your tank and you know, the means of, of locking, I had to modify even, you know, a serious sea boat, I had to fit additional locks to the washboards, so that they could be opened and closed from inside, so I had to make up a special panel, just to conform to that requirement, so I had to re-do the safety lines around the boat, because there was some rope on the original design and that wouldn't conform to safety standards, so we put steel swaged safety lines in the openings and that was all tightened up and, and re-done, so I had no problems with that, I'm thankful for that, because I was hanging on to one of those when, when the storm hit me, at one stage - - -

Q27 Mm.

A - - - over the side of the boat, so I was rather pleased that they were intact. We went through everything meticulously, and it's not just a questions of counting flares, you know, you just don't get through with a flare that's not dated, I mean we checked every date on the flare. I additionally kept a spare set of outdated flares anyway for emergencies, but we had everything that was required for safety. I'm just trying to think of the basic things that, that we needed to check like the life rafts, you rely on certification by RFD and that's provided, you've got to tender all the obvious documentation, like, your, your insurance, your radio check, we had the radio's checked in addition to the high frequency radio and the VHF, I also had a 27 meg radio, which is, you know, unusual, but I think it's a good thing to have the, the three radios in case one karkes it, and the was on totally independent supply. The thing that annoys me most about this whole episode is I'm strongly of the opinion, and particularly as a professional engineer, that we wouldn't have lost the boat if the bilge pumps had - - -

Q28 Mm.

A - - - have worked as required. We had a, a Johnson pump, the big variety, the immersible pump that's capable of pumping 120 litres a minute, in, in the boat and that failed. I'm still a licensed electrician, I, I'm a member of the College of Electrical Engineers,

and I think I know a bit about electrical stuff, I had a multimeter on board of the boat. Electricity supply was on the, on the manual and automatic switches to that motor, the wiring was intact, it was installed by a shipwright, brand new, just before the race, wiring was done by a professional electrician, I don't have the time to do that sort of work, and I tend to fiddle a bit these days so I have that professionally done. And we heard the pump coming on and off as we went down the coast, but at no stage in the emergency did the electric bilge pump work, had that operated there would've been no emergency as such, we would've continued - - -

Q29 Mm.

A - - - you know in the I'm quite sure we would've got in under our own steam, without a drama. But, having said that, that's the electric pump, that's not a requirement for Safety, the critical requirements to have two separately independently operated manual bilge pumps, now I had separate skin fittings, for the electric and the manual pumps, and the second manual pump that I had fitted externally for some reason it wasn't fitted to the boat prior, but I had to have it on for the safety requirements and I would've wanted it anyway. It was fitted just before the race with new pipework and a new skin fitting, might, no, he might not have used an existing skin fitting on that but anyway, it was

working perfectly before we went to sea, I checked it. But approximately one week before the, maybe two weeks before the race I had this pump fitted and I was just using it in the normal manner and it actually fell apart, the, the top section where you poke the operating handle in is made of some kind of moulded plastic and that just disintegrated, now for a category one pump I think that is appalling and if I'm, I was on television having made the statement seeing I work in litigation that ought to be look at very seriously for that sort of failure. I don't intend of course to take any, any serious legal action because proving it is a, is another question. But I certainly wanted to set the cat amongst the canaries that you can't keep peddling this made in Taiwan crap under good English names or Scandinavian names and expect it to work.

Q30

Mm.

A

You know, it not like a domestic refrigerator where you're building it to meet the warranty period, in this case you're talking, with a category one piece of equipment that's intended to keep sailors alive, you're only likely to use a bilge pump in an emergency. So it fell apart within, you know, within hours of it going on the boat, when I checked it originally, and the day before the race, Bill Valcoda, who was living on the boat, on the boat to just tidy up and do some stuff, and he used it to pump out the bilge and it fell apart

again. We immediately took it over to the shipwright that installed it, and he, he remade the whole thing in black carbon mould and we fixed that and it was attached in the normal way. Now, at the time of the emergency when we required that pump to work, it failed immediately, because the internal linkage fell apart, so I don't know how many minutes operation but certainly it was disgraceful. And the pump was made by, I believe, Patty, but the information on that can be sought from Composite Marine, Paul Boniface is the, is the manager there now, I asked to have the details made known, because I, I certainly intend to, to raise it. Now the same man, Paul Boniface is a respected shipwright, and he's done work on my, on my boats for years, I had him totally refurbish a big double action Patty pump, which was the main bilge pump on the boat for years, and I paid, I think it was 380 odd dollars to have everything completely refurbished within that pump, rebuilt in other words, and it failed after a few hours of operation, we would've given it hard work, and I can't criticise that pump, because at this stage I think it could've had any of the flotsam, that would've been floating round the, the boat, you know, toilet paper, handkerchiefs, underwear, at this stage we were taking on a, on a lot of water. The difficulty for the pump would've been that we lost our diesel, and I'd taken the engine covers off to try and sort out why the diesel had failed and I was looking, obviously, for

holes in the, in the cooling system, and that was all intact, so I assumed we just overheated as we were out of the water quite a bit with the seas, I think we just over, overheated, it was a brilliant motor, just had it checked not long before the race, it was a, 80 horsepower Ford Lees conversion, not, not all that old, three or four years old at the maximum, and not a lot of use. And as a result of the diesel failing I took the engine covers off, now they were not replaced. At the same time as the diesel failed I realised we were taking in water, and we were taking it in fairly heavily and at this stage I had to pull floor boards up and there was a possibility that floating stuff could've ended up in the bilge, in the bilge, but initially there's no way in the world any, any foreign material would've got in and fouled up the electric bilge pump, just that only, well into the emergency I took the, I took the covers off, in fact, we, I think we got into about 20 miles off Eden, but I'm jumping the gun a bit there. But, I don't think there was anything missing on the, on the safety, on the boat prior to going into the race, I was fairly fussy with it, and I, you know, I'm well aware that some people tend to be concentrating more on the sails and that sort of gear, where as my things always been the safety and after all I'm responsible for five other persons as well as myself, and you've got to take that responsibility fairly seriously. And I, I, I, saying

that it's the way I feel about safety in general. I don't think there's anything more I can say on the safety apart from it was, I was quite convinced that it was well inspected, and the club fulfilled it's, it's role, and I've had three safety inspections for Hobart races now and they've all been just as tough.

Q31 Mm.

A And I, I would applaud that, and if you're not prepared to get the gear on it, you shouldn't be even thinking about going.

Q32 Mm.

A And that's the, that's the way I would see that.

Q33 O.K. Can you just sort of take me through what happens, from a layman's point of view, so far as joining the race? I believe the CYCA send a notice of race - - -

A Yes, yes.

Q33 - - - to the owner.

A Yes.

Q34 Can you take me from there?

A Well, as a, as a club member and owner of a registered boat, registered with a club, you would get a, an application form. I mean as a previous race entrant probably would've come automatically, so I just took that on board and just filled out the necessary, noted the dates and complied with the time requirements, they did one sensible thing this, this year, I think it was for the first time, that they required the safety's

done well in advance, and that stops the panic the day before, so you had to have you're safeties completed well in advance. Now this meant I had to, I think, have an additional gas check done, and re-hash the gas to get that up to up to standard. The radio check had to be done, you've got to, then got to show the certification that you're covered by insurance with a, you know, whatever it is, indemnification, well, well, that's liability cover, and that, all that was I complied with everything by the, by the time lines and that's, that's how I come to, you know, join the race. I, I did enter as a, as a sponsored boat, my small company, Safety Audit Services, was nominated as a sponsor and the rights you have, I think you pay an additional few hundred dollars to use the sponsoring on the side of the boat, and I actually had Safety Audit Services on the side of the boat and that cost us a slight bit extra, it's \$1100, the race entry fee.

Q35 But in that, in those items that you sent in to the racing committee, does that include and IMS, recent IMS certification?

A No, it's not, my boat is not an IMS boat.

Q36 O.K.

A But it would have the, I was racing in the, in the second division of the PHS.

Q37 Right.

A And not a competitive boat in any, in any sense, and I

had an IMS certificate for a previous boat, in previous races, but I just couldn't go through the fiddling around, and this wasn't the type of boat you'd IMS. But the stability indexes and all the rest of it has to, have to be checked, well with a Swanson, with, I think it's five tonne of lead on the keel, there's no questions at all about stability on the thing - - -

Q38 Yeah.

A - - - when you look at some of the boats that are floating around. So, the requirement was to have previously competed in a Hobart race, and I, and my boat had competed in two of those in '76, and 1977, and as such for the PHS requirement it fulfilled all, all of that. 'Cause there's no question of the stability - - -

Q39 Yes.

A - - - index or the stability of a Ron Swanson boat at all.

Q40 Are you of a, are you aware of a stability rating of that boat?

A Definitely.

Q41 And do you know what that is offhand?

A No, I don't actually on that boat, it's a long time since I've looked at the data on the IMS certificate, so I, I know it was, a Swanson would exceed any basic requirement of an IMS requirement. I used to have one of those certificates for the previous boat. It's all to do with the

Q42 Yeah.

A

Q43 So, you, but you are familiar with these, these documents here - - -

A Yes - - -

Q43 - - -

A - - - I, I've gone through all the drama, having boats IMSed, yeah.

Q44 Yeah.

A Yeah. I just forget what degrees they are now offhand. I know how they, how they test it, you, you put weighs on the, on the boat, and drag it into the water and - - -

Q45 Yeah.

A - - - beams are fitted up, while the boat's in a nice quiet part of the harbour and you just measure the actual inclination of, of, of your keel, and you try to just simulate the conditions of a knock down, and just to make sure that you've, you've got enough lead on the keel to correct your

Q46 Yeah.

A Stabilise the boat.

Q47 So, did you have to submit a form similar to this one, last, for last year?

A No.

Q48 You weren't required to at all?

A No, because I'm not in an IMS division.

Q49 O.K.

A The requirement was that the boat had previously competed in a, in a Hobart race - - -

Q50 Right.

A - - - and it might be tied in with some of the, the Veteran my boat was built in 19, I would assume, '75, '76, it was certainly - - -

Q51 Yeah.

A - - - in the '76 race. It was called Anna Dree, initially, and then Shandra, so, Anna Dree it would've appeared on the clubs records as an original boat. But, I mean, nobody ever has any queries on a - - -

Q52 Yes,

A - - - heavy - - -

Q53

A - - - keel boat like, like a Swanson 42 - - -

Q54 Yes.

A - - - in terms of that stability.

Q55 Yeah.

A I mean I looked at the boat on may occasions, out of the water and you can just see the in the photographs, there's no - - -

Q56 Mm.

A - - - no questions about a, a righting in my mind at all. I fact, even in that fierce storm there was no, it didn't even look like getting knocked down - - -

Q57 Mm.

A - - - let along turning over, so there was no questions

- - -

Q58 Mm.

A - - - of any problems with her. It was just that the hull was breached.

Q59 Yeah.

A And how I will never find out.

Q60 Mm.

A I've got a, I've got a theory on it, but it's only, it's only theory.

Q61 O.K. So all your documentation is then sent into the CYCA, you pay the fees, do they return a document to you to say you are accepted?

A Yes, there was a paper that came back confirming that we had been accepted, in other words your initial crew had been basically your boat stability and the requirements for that had been met.

Q62 O.K.

A Yeah.

Q63 And then do you, do you sign a document acknowledging that acceptance? Are you aware, do you recall?

A I signed, after you receive that confirmation you then submit a, an application form, I think that might have a signature on it - - -

Q64 Right.

A - - - I'm just not that sure, I think that was, once you get confirmation that you're in the race you then have to supply the entry form and I'm sure that would have admission requirements

Q65 Yeah.

A that's how I'd have done it.

Q66 O.K. Now perhaps if I could take you to the 27th, of,
of December.

A A nasty day.

Q67 Yes, you might like to go through that for us, if you
wouldn't mind?

A Yes, well, we were progressing down the coast, with a
wonderful noreaster, even a slow old boat like
Milintinta was already ahead of, ahead of the race
record by Morning Glory which had surprised everybody
as we'd have definitely been last out the heads,
because the thing points into the wind in a pretty
hopeless manner. But we were heading down the coast
with a nice noreaster behind, going quite well, we were
even starting to catch up on some of my old mates, and
particularly Don Mickleborough in Southerly, and we were
getting past him, and that was good for a big heavy
boat. Actually we had a problem, we busted the halyard
on the spinnaker, or it was a big multi purpose
spinnaker, massive sail, we were using that with great
effect, it was catching up quite rapidly but we busted
the, the halyard due to a, one of the sheaves broke and
that chafed the halyard and wore the thing through in
a matter of minutes I suspect. Robert volunteered to
go up, Robert Gordon, I'm talking about who had done
work on the Tall Ships and who's been a fairly
competent sailor. Two of us winched him up with, back

up line to the top of the mast, it's a 50, 51 foot mast, fairly tall stick for a Swanson, and I managed to salvage another block from my spares, I had spares of just about all the sailing gear you need and we sent up another block in a bucket and Robert hooked that on and we reattached the, another spinnaker halyard. This boat only carried one spinnaker halyard and had I used the headsail halyard it might've chafed so we really needed the second one, and since Rob volunteered I thought it was a pretty decent bit of seamanship him going up there, it wasn't, it wasn't, in my opinion risky, because we weren't in a, in a much of a swell and we had a back up line on him. We've got on that boat we had pole steps, steps on the mast, that take you up to the first spreader anyway, and I thought it was fairly safe, anyway it was executed quite well without any drama we, we got that re-attached, but we didn't get to use it again, because we were getting the winds now up to 35 knots in part that would've prohibited the use of the thing anyway 'cause you'd only fly that at 20 knots. So at this stage we had everything up and we're progressing down the coast at 12 to 14 knots on the clock, and with a GPS, you're getting a speed over the ground as well as your boat speed and we were looking at another three and a half knots of tidal set on top of that, so we were, you we, pushing down at 16 or 17 knots, going extremely well for a, you know, big clumsy boat, with the, the right

wind conditions. And I'm just a bit lost in terms of the actual times - - -

Q68 Yeah.

A I'm sure you can, you can confirm that all by other evidence. I thought it was around about 5 o'clock in the afternoon, which would've placed me, I think about 40 nautical miles out to sea off Eden and probably about 10 nautical miles past Eden heading towards Gabo Island. I work out that position from the position we gave in the third sked, for some reason, I was asleep, but we missed our second sked we made the first sked, but our third sked recorded us, I think probably from memory I think about 10 miles north of Eden and 41 miles out to sea. I know I worked the, the estimate of the miles out to sea, and I would estimate that in that time between 2 o'clock for the third sked till about 5 o'clock when we pulled sails down, we might've you know, well, I suppose you'd be doing another 40 to 45 miles down the coast so I think that would've put us, probably 10 miles south anyway, of, of, of Eden and certainly we're still about 40 miles out to sea, although I think we might've headed a bit inshore, but we kept the boat out to pick up the tidal set that, if you go to close to the shore, well obviously you miss the tidal set and again, a big clumsy boat needs everything going for it, and if you can pick up a three and half knot tidal set. And in fact it was that tidal set, I think, when it met the

southerly that caused the waves to, you know, rear up in a really horrible manner, we been progressing quite well up to the, the point of Lisa MacKenzie first gave the alert at, at several, I think there were several radio calls, we were monitoring the race frequency all the time. And in one hand we were told there was still the 50 knots expected, I expected, we were told to expect 40 to 50 knots, now in a boat like a Swanson I wouldn't be greatly concerned about 50 knots, and I said in my own mind, well it might be, you know, 50 to 60 if it got really bad, and in that case, with everything well and truly wrapped up, and I had a very strong storm trysail, and a good storm jib and I thought that we should handle that with such a big boat, well you know, heavy boat if you like, solid boat. Rather than big in length, it's 42 foot, I wasn't greatly concerned that, that we were doing anything inordinately stupid, of course once we heard the scuttlebutt on the radio that things were getting serious and they were looking at 70 knots and seas approaching 10 metres, I think was mentioned I immediately pulled everything down, we were waiting for that to hit, and I think it was about another, I'd guess three quarter of an hour before it hit us, but we had heaps of warning from the radio, tightened everything up. I did this for a good reason, the reason I got into strife in Bass Strait in the 50th race, when we hit a 60 knotter and an 8 metre swell was

that we had all the sails up, sorry, I'd pulled the spinnaker down, and we had a poley up number one, and I couldn't get it completely down in the five minutes that the storm hit us, we were told it was two hours away I might add on the radio, and this is back in 19, December, 1984, and in fact it hit us within five minutes, it was a Bass Strait roller that came in and we didn't get the washing in quickly enough and everything tied up and sheets got ripped apart and we lost a bit of, bit of canvas, nothing, nothing that serious, we wrapped it up and proceeded without any further drama, you know, in the middle of Bass Strait and then headed back once we lost our batteries, well that's a, you know, a different sorry. But, going back to where we were at the, at the time that the storm hit us, I don't think that we could've been in a tighter position, because I wrapped, I took the trouble myself to wrap a heavy mooring line round the, the mainsheet, because of that experience, and that was, you know, one thing you don't want is a main flapping here at 60 knots around your ear, and as far as I was concerned we didn't take spinnaker poles down below or anything like that, they were all secure, everything was secured and we did the best, we're a couple of quite experienced sailors on, on board, and I think we did everything that we, we could've and nothing reflected any problems there in the later events anyway. So at that stage we'd wrapped everything up, put the storm trysail up

and I kept it up because it would be too hard to get it up at a later stage, knowing that wind was going to hit us and I felt that the added stability of the trysail would outweigh the fact that the boat could be knocked down, because I thought with at least 5 tonne of lead on the keel and the chances of a knock down on a swanson was all, almost negligible so I kept the storm trysail up and the storm jib to gain directional stability. And at this stage we hadn't retired from the race, we were just under storm sail heading to the safe port of Eden for the night, you know, it was about 90 degrees back into Eden on, on the course. We were steering pretty well, 270 or dead west to get into Eden, I was, monitoring the course on an electronic, I had a GPS and a chart plotter, and we'd watch our position on the electronic chart rather than plotting it down below. And we headed in at this stage to Eden and, I thought in reasonably good order. And then the storm hit us, and at no stage did we appear to be getting knocked, knocked down, but we were certainly getting battered around a lot, we, we had made, I suspect another few miles under, under, under storm sails and I thought this is, this is stupid, this is a joke, you know, we'll start the motor and get back as quickly as, you know, bearing in mind the safety of the crew, obviously, and myself. We started the diesel and obviously when you do that you forfeit the, you know you're finished in the race, but we had a big 80 horse

diesel sitting there doing nothing, and a storm that didn't look too good. I thought it was better to keep the boat heading into the wind and towards the safe port of Eden. I'd been in Eden previously, and it seemed to be attainable. The wind when it first hit us came from the south, and you know I think we were heading in reasonably well on the storm jibs, but then it swung round to, I'd, I'd guess it could be 70 to 80, I don't remember. You know, we just didn't have time to be looking at wind instruments we had all that, but, I would say we're looking at 70 or 80 knots on the, on the nose, and I'm heading directly into the wind and the waves were rising in alarming proportions and they didn't seem to have any backs in them, the fact of a 10 metre wave wouldn't, wouldn't worry me if it had a proper back in it, because I'm concerned that the waves were backless and we were dropping down the hole virtually, and that's where I think, where we sustained our damage, because one minute were up on the top of a 10 metre swell and then the next you're down in the bottom and I think that, that most times I could keep the boat into the wind with the diesel but the, the conditions were such that you'd get hit by a, you know, a wave, like a surf swell on top of the, already waves two or three metres in height some of them, and I had the, the boat heading east on number of occasions and we were just going round in circles, on a few occasions even with the diesel running at near enough to full

speed, but we could, at best try and keep the boat into the, into the weather and, you know, avoid being swamped or from the rear and I thought that was the best thing, since we had the motor and this, this happened we kept it going I guess for about four hours, that would be a, a guess, it might be plus or minus an hour, I suppose. And then the motor just stopped. I was first alerted by the fact that the, I wasn't steering at the time, I think I'd handed over, I was steering most of the time. And I think I went down to check something or other, I forget now, but we were alerted by steam coming up the steering, steering column of the boat, and then I then checked out everything, and there was steam everywhere in the engine compartment, and clearly we had overheated the motor it's fresh water cooled with salt water circulation stuff with a pump, I mean, I checked the, the pump had a new fitted just before the race, and we had the motor serviced, there was no obvious signs of broken hoses in the water circulation system, I couldn't see anything obvious, so I could only conclude that we had the, the thing out of the water a fair bit and we were sucking a bit of air and I think probably we overheated due to that reason, but I, I wouldn't have thought that we would've over heated under those conditions and I have about 350 litres of fuel on board, so I was, you know, the obvious thing seemed to be to use the fuel and get yourself into,

into safety, you know, that, that demands a seamanship decision, so I did that. At the same time that the motor died on me, I noticed there was water coming in, I hadn't noticed this previously, and I'd suddenly realised that we got water up over the cabin or the floorboards if you like, and I was not aware of where it was coming so, my occupation then for the, well the, the next few hours was to go through everything systematically and find out where the water leak was - - -

Q69

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- - - because we could, we could control it. Maybe the electric pump worked for the first few minutes of this, or half hour, I don't know, but it certainly failed, and it failed to do its job. I then got crew operating the external pump, and we were able to hold our ground with it to some extent, and I had another person then down below, I think it was Bill initially on the, on the big manual pump, so we had two manual pumps operating, and we were able to keep it under control. The thing was, I wanted the water out of the boat so I could try and ascertain where the, the breach was, or where the water was coming in, and I didn't for the life of me know where it was coming, because every time we'd get hit by a decent wave, from the starboard side, we'd seem to be taking a, a swell of water in under the floorboards, and we got it out to the extent - - -

Q70 The time is 12.14, this interview is suspended for change of tapes.

INTERVIEW SUSPENDED

INTERVIEW RESUMED

DETECTIVE SENIOR CONSTABLE GRAY

Q71 The time is now 12.17pm, this interview between Dr Emerson and Detective Gray is continued.

A I was just making the comment that my time was now preoccupied with trying to find out the, the breach in the hull, where it was coming, coming from, and my main concern was to get the water out of the bottom of the boat so I could get a bit of an idea where it was coming from, and by process of elimination I just had to go through all the skin fittings. The thing was in a mess we had you know, water over the floorboards and with the, with the thing dropping and you can imagine what it was like, it was just amazing, we were getting thrown from pillar, from pillar to post and I got smashed against the, the stove, broke the stove off its gimbles, I got smashed another time against the kitchen cupboards, smashed all that up, just as well the boat sank the wife would've crucified me with all the damage that I'd done to it. On another occasion I got thrown back the other way and ended up miraculously in the little companionway alongside the engine room and, you know, no major injuries as it turned out, only a sore back and whatever. It's a, indeed I was one of the lucky ones. Now, it was a bit awkward under the

conditions to check it all, but the problem was we had sails in the middle of the boat where we'd been sleeping on, because the best place in any sort of a sea to drop down is on a bunch of sails in the middle of the boat, and that was happening, so I had to check the forard end first, I had some doubts as to the skin fitting that was used on the deck wash pump, and I had a brilliant idea that I'd connected it, that the deck wash pump to give supplementary pumping, electrically, 'cause I had a pump that was gunna do something, and all I had to do was take it off the connection through the skin fitting and extend that with a bit of plastic hose which I had on board with a tape, and I tapes up a connection and extended that and threw that into the bilge and it worked beautifully for a couple of minutes and then it died, so that was a, electric pump that I, I thought might just help through, so, that's, the main purpose in doing that was not to rig the pump up initially but just to check the skin fitting and that's the only forard skin fitting on the, on the forard bulkhead. So, clearly there was nothing coming in at the, at the front. Then I ended up, mind you I got most of the crew either steering or watching for waves or bailing out at this stage, and I'm the only one sort of still available to try and trouble shoot on thing so, I was then concerned, and my initial concern was it might've come through the water intake for the motor, and I checked all that very clearly because there's a

clear bulkhead division between the motor compartment and the rest of the boat and I checked that, that it wasn't overflowing, and nothing was coming in from the rear so that eliminated any engine intake problems. So the, by a process of elimination, then the leak had to be somewhere between the two, like the rear, should say the stern and the forward bulkheads in the midships area, so the next thing was to remove all this crap off the floor so unfortunately I had to just move all the heavy sails, back into the forward compartment and just take the floorboards up and look methodically at all the skin fittings, you, you check the toilet head obviously first well, they were no problems at all, I closed off the sea anyway at that stage and there's nothing coming in the toilet section. I then just went through the, the difficult one for me to do was, because of safety, I couldn't have an anchor weighing, god knows how much one of those very heavy anchors I'd taken from up, up top, and it's normal, in that position on the winch, I'd secured it to the best position I felt was appropriate and that was the securing all the stainless steel stanchion for the table, you know where you got your table and just roped it very securely, well, Bill had actually roped the thing very securely to the table now I had to undo all the ropes and get rid of the thing and with the boat rocking up and down, I had then this loose cannon of a, of an anchor to deal with, while I could get, see, I

had to get underneath the anchor where the anchor was stored to check the skin fittings for the, the and that's one of the suspect ones. And all of the skin fitting had wedges that I'd tied in position as a part of your safety checks they're all checked anyway. So I actually thought it might be there, pulled that all apart and it wasn't there, that was still in tact, so, buttoned that up again, and started, tied the anchor back in position and started looking thought the rest of the, the hull for breaches. And we pulled up the other floorboards and I, you know, I checked as many skin fitting as I think I checked all of them actually. It became apparent to me that it wasn't a skin fitting it was something more serious than that. At the time I, I confess I didn't really imagine that the mast would've driven the strong point, or the sampson pole down onto the keel to the extent that it might've broken such a, a massive moulded keel from the fibreglass of the boat, but I think that's what's happened. And since coming home I've talked this over with the shipwright and many other sailors, and most likely what caused the breach was falling down these waves. And then, I would say, at least 10 possibly up to 12 metres in hight, without back in the waves, so you sort of, I'm riding through them trying to keep the boat into the, into the wind and heading to, to port, or Eden and you're just dropping, you know, breaking through. And the thing is that with a

big long keel on a boat you can't just ride turn it down the side of a wave, you're sort of breaking through in some cases two waves that are close together. And I think dropping down the hole each time the impact of the mast on the strong point probably stressed the hull. And why I think it was a delamination, because every time we got hit to starboard increased water would come in as we're knocked down, and that to me put, as soon as the boat was stressed the lamination was, or the delamination was opening and the water was coming in, I think through the, through that. When we'd right again, or the sea would back off for a while, we'd make headway on the bilge pumps, and we were able to keep, to keep track of it all.

Q72 Yeah.

A But I'd satisfied myself there was a pretty serious breach at this, at this stage in the hull and we were making good progress, with it. Even with the fact that the electric pump had failed and that the manual pump, at first the external manual pump had failed after few minutes of use and I'm extremely disappointed that that happened, and I think head should roll in the manufacturing process of those pumps, and they, they must do some serious work on checking what comes into the country and what is used for a category one requirement. And I make that known under no uncertain manner, the other pump was refurbished but it seemed to

be working well for about four hours. Now, I can't criticise the manufactural maintenance because it could've got a, a bit of stuff into the intake at this stage, 'cause there was stuff floating round everywhere, and I think after four hours use it just, it just gave up anyway. We were then reduced then to a bucket and I was using a standard plastic bucket with lanyard brought specifically for bailing purposes and part of our cat' one requirement and the bucket, bucket bottom of the bucket fell out, so at this stage we decided nobody really liked us any more, and we were in dire straits. We still held pretty well on the, on the water, I think we were going probably for about 12 hours, in this sort of bailing procedure. I'd realised I think at about 11 o'clock that we weren't going to make it, we were in trouble. I had confidence in the stability of the boat up till then, because she'd been behaving well, and I thought we could maintain the bailing. But the seas were still opening the, the gap up and you know we'd, we'd get a lot in, in one hit and, and we're bailing frantically to get it out and I was getting exhausted. And we had Lisa who was what, you know, quite seasick for the whole duration of the voyage. She's a very experienced harbour sailor but I think she was suffering seasickness and I'll say to her great credit she was down there bailing with, with Peter and sort of having a little vomit in one hand and then bailing at the same time. And I thought that

showed a great deal of courage under the circumstances, because I was trying to trouble shoot, and we had Peter and, and her bailing, we had bill at the back on the, on the pump and I think that failed eventually, and I think Bill got a bit tired on it, he was, he was, he was fatigued at one stage. I mean to tell you the truth we were all pretty well - - -

Q73 Right.

A - - - shot at this stage, and we'd, you know, given it sort of our best shot and I thought, well it's time to sort of radio in for a bit of assistance. Now, I didn't call Mayday, because I didn't feel we were sinking, we could've taken a lot more water on board that boat before I'd called a May Day. And, you know, 'cause I, I was aware that from what we were listening to on the radio we had everything, all the lights on, we had huge battery capacity, and three big batteries, so I wasn't worried about using power, we had the boat lit up like a christmas tree for trouble shooting, everything else, we had the both radios going and we were monitoring, you know, everything but the 27 meg, really. And we had become aware that there was enough scuttlebuck to be concerned and I didn't want to go raising a red herring, where I thought we were O.K. I actually thought we were closer to the shore, while all this was on we'd been blown back out, out the 40 miles out to sea from what I now understand, that, we had actually deiseled in to within sight of land, and we

could see the lights of Eden, and I thought, no, we're O.K. You know, I thought we'll we'd certainly done the right thing and we can, I thought in the lee of the shore eventually we'd get in, but at that stage the diesel had carked it, and we were stuffed really and back out to sea again, and I hadn't realised but the position ultimately recorded by the rescuing vessel put us at about 40 miles back out, back off Eden. So we'd been blown out with the, that westerly straight out again. Now at this stage I called for assistance, I spoke to the Eden costal control, and the, the coordinator or the rescuer and I said, we're not making headway on the, on the bilge, our bilge pumps, three, three pumps have failed now, and we're starting to get into a bit of trouble we're exhausted, we were tiring rapidly, we need a tow is there anyone that you could send out to give us a, to tow us in, and I think we might be, you know, if we could get hold of a, another bilge pump and a tow, in other words if a trawler or nearby small vessel could've picked us up we'd have been fine, that, what was my intent at the time, not, not abandoning ship or anything. And anyway, we made contact with them and they signalled, and I, you, you'll have to check the name of this vessel and that shouldn't be hard to do, but I haven't done it, I called it the Admiral Rodigen or some name like that, it was a container vessel of some size and he was whistled in by the coastal control to stand by and we

saw he a few miles out to stern at one stage, monitoring our progress. Prior to that I'd been requested by coastal control to send up three white flare, or to send up a white flares, and they didn't sight it so I sent up another one and then a third white flare so obviously I was further out than we thought, and was, you know, at this stage there was so much water around trying to plot a, plot a course, I mean I was making a reasonable guesstimate from the electronic plotter it was, I thought we were about 20 miles out, but we must've been heading near 40 miles out to sea at this stage. And the next thing I think I did was say to them, "Look, I think we're O.K. We're making headway on the bilges, on the pumping again, and you, you've got other work to do", and I remember distinctly saying, "Look, I think we'll be O.K." And he went, and I said, "You know, if you've got a more urgent rescue to go to and the Admiral Rodigen or whatever name it is, started to, started to move and within' half an hour of that I realised that that was a stupid decision we weren't faring all that well, we we're getting tireder. And I called him back again, but at that stage they had dispatched the Eden fishing trawler, Josephine Jean, bit confused if it's Josephine Jane or June

Q74

A Josephine Jean, it's Josephine Jean.

Q75 Yeah.

A And he had been apparently allocated to us and they said that he'd be on the way and he was about three hours away, and it was in that three hours that I thought I can't really keep this other ship tied up there'll be more important stuff for him to do, and I told him, you know, I said, "We're O.K.", but that was incorrect, probably, not a good decision, because it should've stayed there, because we were at this stage too in a bit of strife. Anyway, he came back and stood by, we had a, particularly, Lisa was very reassured by his presence, it was a nice feeling to know that she was a least a bit settled in her mind. At no stage did I see any impending disaster, because I thought we were in control of it pretty well.

Q76 All right.

A And it seemed to be still, I knew the seriousness of the situation, I wasn't prepared to say well, we're sinking, I thought we could cope with that water because Peter made a brilliant observation to me, when we were bucketing up through the hatch and Peter said "Throw it into the sink", and I thought, it's, it'll just fill the sink up, you know. But the action of the boat moving so fast sucked the water out of the sink as fast as we could bucked into it.

Q77 Mm.

A Now, when we lost our blue bucket there was still another one floating round but we, I don't whether we could find it or whatever, but it seemed sensible to

cut down some milk, milk bottles so we cut down two litre milk bottles into bailing buckets just with a handle, and Lisa and Peter were bailing frantically, for quite a lot of the time into the, into the sink after that, because Peter said, just bail into the, into the sink and see how it goes and it worked perfectly, so we, you know, it was only a misplaced effort to take it up the, the hatch, it was, it was working well doing, you know, only due to the boat speed.

Q78 All right.

A And we were effectively bailing into the sink.

Q79 All right.

A And I thought at this stage we were, we were going to be O.K. But, we were then waiting for about three hours before the Josephine Jean got to us. I think she arrived about 1 o'clock in the morning, it was all pretty, pretty horrible the conditions at that stage still, and we were pleased to see the boat. And he circled us I think for at least three times, I mean one minute he's up there, and the next minute he's down there and just you know, mountainous seas, and conditions. I think it was incredible the way those guys performed in that, in that boat, to circle us and get the, pick up where to come in. And I went up forward and Rob came out with me. Julie at this stage is very experience person, she's circumnavigated many times and spent 13 years at sea, and I think she's

done thousands and thousands or sea miles, I've forgotten what it is now, but she's a professional sailor. She was on the helm at this stage, but she hadn't, she got herself cold at one stage and she went to sleep for probably four hours in the thick of all this which was probably a very very good thing because she, she was probably the most alert of any of us at this stage. So, it worked out rather well, we could leave her on the helm calling the shots there, while I went up forward to try and get the dolly across from the trawler. He threw a, a leading rope and a canvas dolly or whatever, and after two three attempt at fumbling, I managed to catch the fool thing and I got it round the, the bollard, but I was cautious because I didn't want to break the thing. So, at this stage it was like playing a fish, and we just sort of passing this line backwards and forwards for about half an hour, you know, and fortunately I still had me sailing gloves on, I smashed me thumb before the, the accident and I'd kept sailing gloves on to give that a bit of mechanical protection and it, it worked well because I could feel that little thing coming backwards and forwards, now, after fighting with this thing for nearly half an hour, I realised I just didn't have the strength to pull the rope onto the, to get the big rope, I, I managing to, we got it within about three, three metres and clearly visible the eye of the rope, we wanted the heavy hawser, it was within about

3 metres on a couple of occasions, but the sea beat me every time, and pulled back out again. I just had this brainwave and I sang out to Julie on the wheel, get the motor started, 'cause I knew she was hot, she hot but she wasn't dead, and I deliberately wasn't using the motor because I wanted to, you know, as my final back up, and so had it cool enough to put water into it. I said, "Start the thing up", and she gave me that few metres of slack so I could hook the bloomin' eye of the hawser onto the bigger cross bollard, which was unfortunately a mistake, but at the time I'd relied on that bollard as a means of securing the boat to it's mooring for the 13, 14 months I'd owned the vehicle, the boat, and I mean, it was, looked chrome plated and it was a massive solid thing, and I thought it was strong. In retrospect I could think of a few other things we could've wrapped the, the rope. Getting a rope on I had no choice, it was just over the bollard, one I'd secured it, I could've put the anchor chain through it and wrapped that round the anchor winch and, you know, in retrospect there was all sorts of things that I could've done, but I was extremely delighted that we got the hawser round the, the bollard, and I thought we we're O.K, now, so - - -

Q80

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There was a bit of, there was a bit of drama in securing that, before I, when I was going forward, Julie called out to me, "Wave", I was moving from the,

the dog house to the front of the boat, to sort of go and catch the dolly, and this bloomin' wave picked me up.

Q81 M'mm.

A And hurled me over the side of the boat, I had, I had my safety harness on fortunately, and that was a very nice reassuring feeling to feel that thing tugging at your chest for the first serious time in your life really.

Q82 Mm.

A A stupid bizarre thought I had in mind at the time was I've lost my sailing shoes, and I mean - - -

Q83 Yeah.

A - - - that really isn't really consequential, when you think about it, but the ferocity of the wave would've been two or three metres high, was the, a white forth thing on top of the other wave, just knocked me straight off my feet, over the side but I, I'd hung onto the, the safety rail, so there no, I was not in any peril at all. Because I had a rule on that boat that we had two jackstays, I had a man made fibre one, that would hold two tonnes and I had also a steel jackstay running parallel with that, and we were always, we clip onto both of 'em, so we had a, a harness that would hold a couple of tonnes, so I wasn't concerned in any way, about going over. So, but somehow the boat had healed and the, you know, surf had just righted the thing and I just flipped back with a,

on the right side of the, the line, so I was able to then continue with what I was doing and get the, get the thing hooked on. It was fortunate that Rob was there because he was able to tie the, the light line round the, the winch and play it backwards and forwards. The prime goal to me at the time was to get the thing hooked onto the, onto the, the trawler and that would save any drama of people being taken off on liferafts or, or whatever. Anyway, we continued bailing, particularly Lisa and, and Peter, who were bailing frantically, and then I bailed for a long while myself and we realised in the end that there was, I don't know a couple of feet of water over the floorboards at this stage and we weren't making headway on it, and the only seamanship decision was to really abandon the ship. But I rang, I rang up coastal control and I said, "Look, we're taking in too much water, and I'm concerned about the tow, towing weight and all the rest of it", I said, "let, let, let's have a think about this, I think we'd better get out of there", they said, get the hell out of it, or words to that effect. And, and I spoke to Olie, the skipper of the Josephine Jean on the radio, and we were in constant communication, which is great, I really, it was a good, it was a good HF radio, you know, that's one thing, I'd never go to sea without a decent HF. And we talked it out, I had three options, he said, "I can get in close and you can jump across", now I

wouldn't have that on with any, you know, the seas were horrendous at that stage we're going up and down all the time. The other option was to jump in the sea, now I reckon the trawler wasn't all that maneouverable, and I, I didn't like the chances of, of any of the crew jumping into the sea, or the third option was deploy the liferaft and that seemed the obvious thing to do. I'm not, not even sure why we had three options really, just, just that they were the options presented to me. And they were very experienced seamen, far more so than me, so you listen. I chose, and I think correctly to deploy the life raft. So we got that out and I said to the crew, look grab your personal stuff I think we haven't got all that far to go, and I had in the back of my mind, well, you know, let's get as much of their gear off with them as possible because they're pretty a full heavy duty raft, and I was conscious that if it got to heavy we'd just chuck the stuff over, over the board. But, at, at this stage I guess it's, I don't know what time it was, it's, it's daylight now, so it's 5.00, 6.00, 7 o'clock, I don't know, you lose track of time, and we could certainly see it in daylight. There's one thing I haven't told you at this stage, the initial tow line broke, the bollard snapped off and we, we had been successfully under tow for quite a few hours by the Josephine Jean, and I tell you I didn't feel real good I was bailing and some one said, "We lost it", and then they said, "No, we've got

it back again, it's O.K." I said, "Phew", and then they came back, "No, we've lost it". Anyway, there wasn't, you know, the trawler was aware, they pulled in the line, and they circled us and really, all I actually got was the broken cross of the, of the bollard which I'd lashed with a piece of light rope to make sure that the thing didn't rip off in the seas, you know, so that's all I got of the boat, really apart from the life raft, I've got this rotten bollard that I'll mount as keepsake I suspect. Now, the boat hovered around again, and we realised that we'd have to give them the rope this time, as there's no other way we could get it across. I had a strong, well two, well two strong lines that were used to secure it at the mooring, so mooring lines. The sensible thing seemed to be to tie it to the primary winches, now I was too stuffed really to do a lot more and I was a bit concerned, will I send them up again, or what can we do, and I thought well look, the, the best thing is still is to try and keep the boat under tow, again to save all that business of jumping in the water. Now, I tied the line round one side of the primary winch Bill Valcoda, I said, "Bill, you've got to go up mate, there's only the three of us and I was pretty tired, bill was there to help with the tying of the ropes and Robert on this occasion went up, up to the forward end, and it was quite, quite funny, we got this thing made up into a briclle, we were gunna pull

..... of the dog house from the primary winches it was quite secure there, we made it up into a bridle, and then we threw the thing. What actually happened was, as the boat was passing, the, the deck hand on the trawler grabbed it, and Robert actually passed it up to level with his hand almost and he shook hands with him on the way, and it was quite an amazing thing, brilliant seamanship, I might add, on the part of Olie, the driver of that boat, I mean, I just don't know how he kept the boat in that position so well for so long, and he, he got the thing reattached again, and we continued in, in tow. And I thought, oh, well, we're all right then, now I'll have to go back to where I was before, because at this stage we're then looking now to abandon, abandon the ship, and I just said, look, had the choice of the three options, and I chose to deploy the liferaft. We got as much of the crew's personal gear into it as possible, and I threw a few things in, not much, but I, I had every hope that we'd still have the boat attached at this stage, so off we, off we go, in, in the liferaft. There was one thing that I think should be made clear, I, I've never actually deployed a liferaft, and I suspect most sailors haven't, like, we're only amateurs, we're weekend warriors, and I'm not a professional seaman, and the chances of me ever deploying a liferaft are pretty remote. Now, I'm aware that from, like, my engineering that obviously you, you're gonna have to have a, breakable line, or you're

gunna take your liferaft down with you if you don't remember to cut it off, so it's got to be it's got to break, now I, I was aware of that, but I was radioing and saying out final position and all this, while the others were in the liferaft, and I was the last one fooling around, and the liferaft was, was drifting off and it was just, just about breaking off on the, what is actually velcro and it's intended to do that, I mean, that's, that's what it's supposed to do, but fortunately another line was, was grabbed and, otherwise, I, I had to, to virtually jump from the boat into, into the raft on top of the crew, which I wasn't all that happy about, but I, if I hadn't have jumped at that stage, I had, the only other option was to swim, you know. And I did have a thought in mind, well will I get the crew off and will I stay and bail it, because I was a bit concerned about the, the, the weight of the boat with the water coming in and I thought, no, this is stupid, it's only hardware, you know, you got to get out, you just don't do that. Anyway, we got into the liferaft, by jumping, I suppose it was half an hour but the time we got into position, but we were always in sight of the trawler, and I mean, compared with what the others would've been through, out time in the liferaft was relatively, well it was blowing of course, and it was not, not, not a nice experience, but, we were in sight of our rescue vessel at all times, so I didn't have any, any, any grave concerns at all, and

we, we were picked up very nicely and it was rather nice to be pulled up the side of a boat, by a couple of nice strong deckies. They dragged by watch off, I think, I think I had my watch on, on the boat, I suppose I was glad to lose the watch in order to get pulled up. But, again, tribute to those guys they did extremely well, and brave seamen, they were just sort of hanging over the side of the boat in, you know, quite, quite significant seas, to help us on the boat. And, you know, there's no real gain in it for them, the, the issue, the issue is that, and I was talking to the guy in charge of, of the operations and it was all over the hospitality Eden, Eden was excellent, and Lochie Marshall this is, he said, "Well, I'm a professional seaman, we make our living from the sea", and he said, "If someone ever does this for us when we're in the same sort of, you know, dire straight, well that's the only reward I'd ever want in it". And I thought, mm, yes, that's pretty big, you know. It's a very humbling experience, because they must've used, God knows how much diesel to come and get us, they were coming back from sea. I understand but they were diverted and they had us in tow then, and we doing I think, .8 of a knot, into the weather, with a, in a dirty big trawler towing us, so we weren't really getting anywhere, and the estimated time of arrival was about 40 hours. And during the course of this tow we, we were diverted, at one stage, or we were about to be

diverted to pick up Winston Churchill, they thought they had a sighting of Winston Churchill, and they were going to bring it about, and they said, "Well, do you mind?" And I said, "I couldn't give a hoot, what's another 12 hours, we're safe in a good trawler, if you can help somebody, go to it", you know.

Q84 Mm.

A And, anyway that all fizzled out, and we just, we slept, we slept I think for a while, for an hour or two, we were pretty well stuffed as you can imagine, and then they woke me, they woke me up, or grabbed me and said, we've just lost her, so I took some final photographs off the boat, at that stage.

Q85 You took some photographs then, did you?

A Of the, of the boat and the swell, yeah.

Q86 Have you got those at hand?

A No, I have got them though.

Q87 Yeah.

A But, you know, it's just, just showing the seas and the, half of the mast and,
..... I've got a few of those I just snapped
- - -

Q88 If we can get a copy - - -

A - - - snapped the last - - -

Q88 - - - of those, that would be very good.

A Yeah. Mm.

Q89 Thank you.

A Yeah, I'll get those to you.

Q90 M'mm.

A Because, that, and that was really, we were then
..... - - -

Q91 Mm.

A - - - the rescue people, and I must say how well I
thought the whole thing was conducted, the radio hook
up

Q92 Mm.

A And Lochie Marshall and Cassie, his wife, were,
actually borrowed another boat of another person and
they picked up the guys on, on Team Jag, and all in
all, I understand that he picked up 25 people - - -

Q93 Mm.

A - - - on the two trawlers that Lochie Marshall has had
under his control.

Q94 Mm.

A And I thought that was - - -

Q95 Very good.

A - - - a pretty good effort, you know, a bit of - - -

Q96 Yeah.

A - - - entrepreneurial work. I mean he's a, obviously
a very experienced person, but, in all there was six of
us, and I don't know how many on Team Jag, and I think
there was four off some other boat.

Q97 Yeah.

A So, I mean, I was told there was 25 that came out of
the sea, and I had been interviewed on the Four Corners
program, and mainly it was due to that, that rescue

operation, and I, I paid a very high tribute to those guys, because, they, they don't really have to do that, and they - - -

Q98 Mm.

A - - - they did it, and they did it extremely well.

Q99 Now, your boat hasn't been recovered?

A No. No, well it was listing when we, when we saw it going off, and I mean, the amount of water that she'd taken, I would've, I mean, the, the buoyancy of a boat's a complex thing, but as you'd know, and when you get to that neutral buoyancy, you can stay, stay afloat for days.

Q100 Mm.

A But, I would, my guess would've been that she'd have been seen within hours, they had, it was daylight at this stage, and, I mean the main rescue attempts was, you know, for other people stranded and the helicopters and all the - - -

Q101 Mm.

A - - - all the things but, someone would've seen it.

Q102 Mm.

A And I kept in contact with the Eden coastal control from Lochie's place, eventually.

Q103 Mm.

A You know, I, I actually died from about, I suppose we, I, I was hungry and they fed me, and I fell asleep in the soup would you believe, and they carted me up to bed and woke up with in the bed 10.00 or 11

o'clock at night. in, you know, in concluding the thing, I'd like to say how sorry I was that six fine seamen lost their lives, and in comparison, our little ordeal was really, you know, quite insignificant, because we had a least a reasonably strong hull between us and the - - -

Q104 Mm.

A - - - ferocity of those seas, and they were looking at, at total exhaustion in a, in a thin membrane type life raft.

Q105 Mm.

A I was pleased we were only in the liferaft for half an hour, and I was delighted with the performance of our, it was an RFD raft, and we'd had it surveyed obviously just before the race, that's a stringent requirement of the cat' one, of course, the club insist on the certificates, and it worked perfectly.

Q106

A Delighted with it.

Q107 Any questions, Doug?

SENIOR CONSTABLE UPSTON

No, I haven't got any questions, I think he's covered it very well.

DETECTIVE SENIOR CONSTABLE GRAY

Q108 Mm. Anything else you'd like to say?

A No, just, just again praise the, the Eden people, and the, whoever the coastal control, and the, just the, like the competency of the whole operation was, to my

mind extremely well done, and you know, the hospitality of the folks, we had six people, God only knows where we were, we were just all over the place, and they just, they just managed us.

Q109 Mm.

A And we, we were absolutely stinking and sopping wet, to be thrown into a, into a shower in a relatively stranger's place, and fed.

Q110 Mm.

A He said, "I know just what you need, this barley broth", and that's the soup I fell asleep in. No, that's, that's not my main comment

Q111 Yeah.

A Well the comment was made that the fishing folk of Eden do this every year, there's always some kind of a
- - -

Q112 Mm.

A - - - well not so much a drama, but there's always someone coming into Eden, and - - -

SENIOR CONSTABLE UPSTON

Q113 Yeah.

A - - - you know, I think they make it their business to
- - -

DETECTIVE SENIOR CONSTABLE GRAY

Q114 Help out.

A - - - be as helpful as they can. I often think it's not, not rewarded or not even recognised, and that was one of the reasons I wanted to make that point and

you've got a copy, or I'll certainly give you a copy of my report on the loss of the yacht, which I think was therapeutic for me, I think, you know, I just have to right it all up and get it out of my mind, and it started a - - -

Q115 Mm.

A - - - healing process if you like, and I sent a copy down, down to them and I think, some recognition was made to Lochie Marshall, you know, the people that helped us in the local press, and I just think it was a good piece of work all around.

Q116 I'd say.

A That's really all I can say on it.

Q117 The time is now 12.52, this interview is now concluded.

INTERVIEW CONCLUDED