

DETECTIVE SENIOR CONSTABLE GRAY

Q1 This is an electronically recorded interview between Detective Senior Constable Stewart Gray and Lisa Jane MacKenzie at the Cruising Yacht Club of Australia, Rushcutters Bay, Sydney, on Thursday, the 11th of February, 1999. Also present and seated to my right is Senior Constable David Upston from the New South Wales Water Police. The time on my watch now is 1.26pm. As I already explained to you, Lisa, Senior Constable Upston and myself are making inquiries in relation to the 1998 Sydney to Hobart Yacht Race and we've been tasked to speak to various people in the race, crew members, and people who were directly or indirectly involved with the race. So, that's what we're about, O.K, and that's why we're here today.

A Right.

Q2 For the record, could you please state your full name?

A Lisa Jane MacKenzie.

Q3 Your date of birth?

A 10th of the 9th, '68.

Q4 Your current address?

A 21 Cremorne Road, Cremorne Point - - -

Q5 And your occupation?

A National desktop sales co-ordinator.

Q6 O.K. Is that for a company, is it?

A That's for ESRI Australia.

Q7 Right, O.K. Now, I wonder if you could sort of give me some background in relation to your sailing experience?

A I've been sailing down at the CYC since I first came to Sydney, which I think was '92, and I started sailing lessons here. The second course that the Pacific Sailing School run and I did that course and then my spinnaker course which gave me a competent crew certificate along with a safety course that I did that was thrown in for free because I'd bought so many courses all at once. Before that when I was 15, my father bought a catamaran, so I'd been sailing on dams up in, around Tamworth since I'd been 15, so probably eight years I had been mucking around, never having formally learnt to sail. So when I came down here I learnt how to sail and race on J24s and then crewed on a few big boats. That was in October of that year and I did a delivery from Hobart that December, I'm sorry, that following January on a boat called North West Airlines, which was a racing 42 footer, and I delivered that with seven other people, four of them guys, three of them instructors and the other four were women. Pretty uneventful voyage, we got 4 metres swell, probably about 30 knots of wind going across Bass Strait, so it was, you know, big and interesting, but it wasn't terrifying. And then probably about a year after that I did a delivery from, no, it was Easter of that year that I did the first delivery, then I did another delivery from Coffs Harbour down to Sydney. That was about 2 metres swell and maybe 20 knots and I was, that was the first time I was on night watch by

myself helming the boat, but the boat had auto-helm so it was sort of maybe really a watchkeeper's task, not a actually crewing task, and that took about two days, the trip from Hobart took about six. And then I've done some offshore racing here, regatta racing on big boats, the odd here and there, I've trimmed spinnaker on big boats. Normally though, my main sailing has been on J24s and since I first started sailing down here that, by that Christmas, the very first Christmas I was on a boat crewing, on a J24 crewing and I crewed every season twilights, I did twilights and big boats every race every season for about three or four years before I went overseas. When I went overseas I did Cowes Week on the foredeck for a J24, we came second, that was pretty good and, you know Cowes Week, it's a big, it's a big international regatta in England, very well known, yeah, and then I bought my own little 14 footer up in the Lakes and I had that for about six months while I was working in England and sold that and came back here. Since I've been back in Australia for about three years now, I haven't been crewing regularly on any boats, 'cause I've picked up other interests on the weekends, but I probably sail maybe once every five to six weeks. Since, around the Hobart time though, building up to that I was sailing every week and since Hobart I've had weeks where I've sailed every second day and then I haven't sailed for a week, so it's sort of increased a

lot more recently. I guess I've been down the club more. Yeah, so on a J24 I'm very competent in any position, racing wise I wouldn't say I was the best trimmer in the world, I can helm the boat with no problems, but I wouldn't want to race it. Js are a class boats, they're really competitive, very aggressive and they'll miss each other by an inch, so I wouldn't trust myself to damage someone's boat by being on the helm. When I, I, I ran into a fellow called Carl, who works down here, several months ago and said I was interested in doing the Hobart and getting on a big boat, but I doubted I'd ever get to go to a Hobart on such short notice. Funnily enough, he called me up about a month before the Hobart and said that he knew someone who was, sorry, he ran into me down at the club here and told me that he knew somebody who was looking for crew and that was Brian Emerson and so I called Brian with the intention of finding out what the boat was like and what the crew was like and then maybe agreeing to go over to Hobart with them. So I went down and met them that weekend about four weeks out and I couldn't sail that weekend so I sailed with them, I went and met Brian Wednesday morning and helped him move the boat around from where it was moored to Middle Harbour Yacht Club to get some work done on it and then I met the crew the following weekend when I first sailed with them and the crew were, compared to what I was used to, was pretty relaxed, 'cause I race

so we do everything instantly and when the skipper says do this it's, you've practically got to do it before they think to say it. Brian's a cruiser which doesn't mean that he's any more competent or less, but they don't race, like, like, the Js do. So I sort of was surprised at how relaxed it was, but Brian was obviously concerned about safety and had gone to a lot of trouble to check the boat out and fit it out properly. That first day out the full crew wasn't on board the boat, another fellow Bill was, and another fellow, Peter, who both ended up being final crew, and myself and Brian and a bunch of visitors, you know, friends or family just out sailing and I was teaching them how to do foredeck on a big boat from stuff I had, you know, learnt at the bar and talking to people and, you know, I know so many people down here that tell me how to do things, I was just passing that on. So we got it going and over the following week we sailed again and we improved a lot more until we were actually, you know, really starting to come together and everyone knew what they were doing. So I was surprised at how experienced I was compared to some of the other people on board the boat. As it turned out, I was quite experienced racing on the harbour, but not nearly as experienced in offshore sailing as they were. I mean, I know Robert's done a lot of offshore sailing and a lot of the other people on board the boats had sailed offshore as their primary sailing experience,

whereas my primary sailing experience had been in inshore. So when we went offshore we didn't really have official crew positions, everyone sort of moved around. There was an official radio operator and stuff like that. Yeah, and I wasn't comfortable helming the boat straight away 'cause, you know, well, Brian was doing that initially out of the heads and then the swell was picking up and we were all busy doing our crew work. When it started to get dark I wasn't very comfortable helming so I didn't take the helm, and later on that was unfortunate that I hadn't because I probably could have taken more of the helming off them further on, but by then the weather and everything was picking up and it was stupid to then do something where I was going to be so fresh and raw on the helm compared to somebody else who'd already had three hours practice, yeah. So shall I skip straight to -?

Q8 You mention you didn't have positions on the boat - - -

A Not really.

Q8 - - - specifically?

A No, no. Well - - -

Q9 Was that usual or unusual? I mean, do people have roles on the boat specifically, normally?

A I think normally in a racing situation, yeah, they do. I mean there was no question at all that Brian was the skipper and any decisions could be made by other people, but they got his stamp of approval before they

were implemented.

Q10 Fine.

A It was very obvious that Robert and Bill were competent on the helm. I felt extremely comfortable when they were on the helm, I could feel the boat was going well. Another fellow, Peter, when he was on the helm I wasn't so comfortable with that, but he was all right too. Yuli was very competent, but she didn't do much helming at that point, she was pretty low key. You know, we had a problem with the halyard, the spinnaker halyard and Rob volunteered to go up the mast. So it was a matter of everybody was fairly interchangeable, you know, I was the weakest person in terms of the offshore crew experience, so looking back I think they kind of protected me in some ways and didn't use me, you know, not so much initially, but then I became seasick so they just kind of left me in peace unless they needed me to do something, which was very nice of them. Yeah, so, you know, people, like, I think it was Bill was doing all the skeds, so there were jobs that were specific to people and we sort of knew where people were in the order of things, I guess, but it wasn't, you will only trim the spinnaker, you will only trim the sails. We all knew how to trim sails, so you trim, we had watches, we knew which watch was which, but we didn't go on and off them with clockwork regularity because the first afternoon out we had a problem with the halyard, so we all had to be up on deck helping

with that and then it was time to get something to eat, and then it was evening, so everyone just kind of bedded down except the people who were helming, everyone else was up, either up on deck sleeping or down below. So we sort of didn't get into that rigidly regular watch system that I'd been in before, because something happened initially, yeah.

Q11 O.K. Well, if I could take you to the evening of the 27/12 and if you could just sort of speak to us about that, what happened that evening.

A Yep. Well, we decided to head into Eden at, at about 2 o'clock that afternoon. I'd heard a sked, not a sked, I'd heard a call come over the radio, someone had asked for a weather report and they'd got a weather report back over the radio saying that it was about 50, 60 knots, that was from the Eden Coastguard, and this, that and the other was happening and the boat who'd asked for the weather report radioed back and said well that's all very well, but we're getting 70 knots across the bow and I went, "Oh", and I was the only person who heard that 'cause I was lying down up on deck with my head in the cabin and so I said, and thought about how I'd been seasick then for, since about 6 o'clock the previous night 'cause the seas had gotten to washing machine mode and so I thought, geez, I don't know that I can do Bass Strait in my state. I'll be all right if it lessens, but if it increases I'll be, you know, helicoptered out of here or they'll be

sticking needles in me or something else will happen. So I decided that I was keen to go into Eden and do a lay over and I said to Brian, "Look, this is what I think we should do, what do you think?" This boat was about a degree further south of us which, based on the rate of progress we'd been making, would have meant we'd be hitting it around 5.00 or 6 o'clock just as it was starting to get dark, it was already a bit overcast. So, sort of, to me we had someone with a, a dislocated shoulder, we had me being seasick for a number of hours, we hadn't been sailing together for years, we hadn't done any other offshore races together as a crew or even cruising offshore, so it just sort of seemed to me that it was sensible for us to go in and lay over, plus I'd heard a lot of other big boat names were already in Eden or heading into Eden, so that's, I encouraged Brian to go in and maybe that wasn't the right thing to do, but it was his decision ultimately and we all thought it was the right decision at the time, yeah. So we'd started heading in, I was lying, I was always up on deck so I heard the boat fall off about four waves and I was counting them, if I'm wrong I'm only wrong by one wave, so the other crew suspect that at some point we hit something when we fell off and I don't know about that. Then around about 4 o'clock, I believe, I didn't have a watch on, but I asked the time and about, I'd asked the time about three minutes beforehand and it was about 4 o'clock

when the smell of burning oil and smoke and stuff started to come up from down below and someone
- (DEMONSTRATES AUDIBLY) - so the engine went off and, straight away in the hope that we could cool it down and then restart it again, and Brian immediately went down below to try and find out what had been happening and we at that point had a storm jib up and a trysail so we'd been making a bit of way with the engine going, but as soon as the engine went off I could see that the boat was going back, we could see Eden. We'd already radioed to Eden that we were coming in and that we hadn't, I don't know if we'd retired at that point or not, but we'd told them that we were coming in. We must have, 'cause we had our engine on and we were using the engine to make way. So as soon as the engine went off, that was, that was it as far as the automatic bilge pump goes and when Brian lifted up the floorboards probably about 15, 20 minutes later, it was, actually it was pretty close to when the engine stopped, it was just enough time for him to go and look at it, try and fix it and then check the floorboards. We discovered that it was a couple inches off the bottom of the floorboard and that, that's pretty full, there's a lot of space underneath that boat before it hits the floorboards. So Bill had gone down below to the back cabin to start manually pumping, Peter was up on deck doing the other manual pump and I went and helped Peter pump and we just took it in turns until

our arm got tired and then the pump up on deck broke, stopped working. It was dark, at this point we were starting to set off flares, that would have been around 9.00, 10.00, 10 o'clock, I think, when we started to set off flares, the pump had broken before that and when it had, when I mean broken, you put the handle in and get no resistance whatsoever at all, so we suspect that was the diaphragm. Then Peter went and started bailing with a bucket down in the, the hold and at the same time he went down there I went down to the back cabin to relieve Bill and Bill had stopped pumping at that point 'cause he thought he'd pumped the boat dry and he was kind of, you know, flaked out on the bunk. So I just came straight in and pumped for about 10 minutes until I got it dry and I could feel the resistance in the, the pump, so it was like pumping a vacuum. When I went back out into the main cabin though there was piles of water, so there's no way I'd pumped the boat dry. It was as if a sock or something, food or, I don't know what, who knows, I never saw the end of the pipe, but you could feel within a few minutes of pumping all the water had gone out and you just had this big build up of, of vacuum in the manual pump. So if you left it for, you know, 20 minutes you'd get something else out again, but you couldn't keep the boat clear with that. So I went out, about half an hour after being down there I was back in the main cabin with Peter and we were, we had a big blue

bucket and we were filling it up with water as the boat listed and, with a rope tied to it, taking it up through the cabin, passing it to Rob who was throwing it over the side and then back down again, so it was about a three metre haul. We did that for about half an hour before we twigged that we could bail into the sink and then we got 4 litre drink cans, chopped off the tops and we just bailed with those into the sink and that, I think, was much more efficient than the bucket system. While Peter and I were doing that, and we did that for the rest of the night, that was our job. While we were doing that Brian was going around trying to find the hole, so he went through the top, the whole boat, top to bottom checking sea cocks, pulling up floors, we even untied the anchor, which he'd latched very securely under the table, that was quite a dangerous moment, thinking this anchor coming free, but we had to check there, that was the last place, we couldn't find the water wherever, well, he couldn't find the water wherever he looked. Yuli and Rob were up on deck helming and what we found was that we, Peter and I managed to bail the boat almost dry so that at about, we'd been setting off flares around 10.00, 10.30, having been told a trawler was coming for us, and then we were told, no, the trawler, well, we looked and we looked and nothing turned up, so we were told, no, the trawler's now coming at 11.00 and about that point we, we started to bail the boat dry. And

then they were coming at 12.00 and at 11.30 Brian got on the radio, well, they called us and Brian told them that we had the bailing, the water situation under control and it was all right, and I wasn't happy about that at all, because I knew it wasn't all right. We'd just not had much tip in the boat for about 20 minutes so we'd been able to get it right down. All that time it had been only around an inch above the floor so it hadn't been so bad. But he did the right thing because what happens if someone else had been drowning or dying while we were getting a trawler to come and pick us up with only an inch of water on the floor. It was, yeah, pretty horrible though to, to think that they were going away, especially since all of this had been going on since 4 o'clock and we still hadn't seen hide nor hair of anyone. You just wonder how long is it, is it going to take when we do really need to be rescued. So by 12 o'clock, so the trawler had gone off to someone else and by 12 o'clock we were up to our knees in water in the space of about half an hour, it just went from being an inch in the bottom, you know, that you could see to suddenly being, you know, to pouring down your boots and every time the boat rolls it's up around your knees. What was happening was the boat would rock with the motions of the waves going through us and, and when it got a particularly big one it would heel right over so you'd see water at eye level through the, the windows and you'd see everything inside the boat crash

over to the, the low side, there'd be a big sort of V-shaped pyramid, you know, where the water had piled up, a V-shaped pyramid of water, a cylinder, I should say, all the way along the boat and you'd see it all come over and then it would all wash back again and when it washed back there'd be, you know, another three or 4 inches on top of what you had before over the entire floor of the boat and then it would come again and rock right over and you'd come back and there'd be even more. So it was coming in in volumes that were just, you know, impossible to bail out. So if you got two or three of these lists, big lists together then you'd suddenly be going from, you know, round your ankles to up to your knees and bail like crazy and you'd be all right, you know, if you just kept bailing, didn't stop you'd be able to get it down enough so that the next lot of water that came in would only go up to your knees, it wouldn't go, it wouldn't get worse. So we were trying to keep it right down around our ankles all the time. If I stopped bailing for five minutes Peter wouldn't be able to control the water and vice versa. If he stopped bailing for five minutes the water would be increasing against a single person bailing. Now we knew that 'cause we were the only two bailing all the time, but the other people in the crew didn't realise that and I don't think Brian realised when we got the boat empty that it was just a fluke that we hadn't had a big wave. So around 12 o'clock it

was right up high again and he radioed and said, yep, we definitely needed rescuing and then they said, O.K, we're coming for you and we'll be there at 2.00, and then we got the water down to around the ankles again, it was up and down all the time. 2 o'clock they turned up with a tow-line on, by about 3.00, I didn't see any of this, I was down below, I could feel the boat going under tow again though and once we were under tow the amount of listing increased so we'd got it right down round our ankles again just kind of going over the ankle boots and once we started towing it was coming up faster and with the two of us we weren't able to, to keep it right under control, so, that was getting harder. We weren't under tow for very long before it felt like we'd hit a, a brick wall and that was when the tow line burst, we sort of seemed to ram into a wall of water and that was enough to split the, well, pull the bollard off the boat, and so then it was about 4 o'clock by the time they got another tow line on and they once again started towing us and once again the water was increasing faster than we could control it. We then radioed, Yuli came down below and radioed to them and said how long to Eden and she was quite shocked, we all were shocked to discover it was going to be about 40 hours which was, we couldn't have bailed for that long, yeah. I'd still been seasick the whole time we'd been bailing. Rob was pretty much out of commission with his shoulder, he was able to help hold

the helm, but he really couldn't do much in terms of crew work, he couldn't have come down and bailed, for instance. Yeah, so when we realised it was going to be 40 hours to Eden, everyone had been doing their jobs, there's no-one to relieve us, 'cause we were all equally exhausted, we decided that we'd have to abandon the boat at that point while we were still under tow and while we knew what our environment was 'cause we didn't know what was going to happen in the future. So at that point Yuli decided that she and I were abandoning and we said to the guys, come on, we've got to get off, and, and Brian decided, yep, that was what we were going to do, we were all going to abandon, which was a hard decision for him, and a big relief, I think, to all of us to know that it was going to be over soon. So we stopped bailing straight away, Yuli and I both went up on deck and we tied on a line to the life raft and then moved the life raft out of its cradle and slid it across the deck and Rob helped us lift it over the winches and he put it on the side of the boat and we pushed it over and I was right, we had a gap in the life line, I was right there so I started pulling the line to pop the life raft and at first it wouldn't come, it wasn't until I got the life raft almost back on board the boat again before the weight of it started to pull the cord free. So that was a bit of a nerve racking moment when it didn't seem to be working, metres and metres of cord which I was pulling

out and Rob took and wound around a winch and back onto himself and he had hold of that and then we popped it. I was right there and just jumped into the boat, which was very light, like being on a trampoline, and the top had blown up at the same time, so it was fully blown up. We all had on our wet weather gear except for Yuli who didn't have any wet weather gear on, but we had our life vests on and our harnesses and we'd had them on, we'd had our harnesses on since the first afternoon and our life vests we'd put on that evening when we started setting off flares, so when we'd first gotten into trouble. So I got in and then Yuli got in, then I believe it was Bill, Rob and finally, and Peter somewhere in there, and finally we were all on the life raft calling out to Brian and he came up on deck and hopped into the life raft at that point. He, it was a bit of a tense moment because the life raft had been dipping out behind the boat. It was on the side of the boat, the leeward side of the boat towards the stern and so it would drift off almost out the back of the boat away from the boat by about 2 metres and every time someone got in we'd pull it in. So we were pulling it about 2 to 3 metres distance in towards the boat and each, with the movement, the, initially it was so light it didn't pull the shell of the life raft free, but as the boat got heavier and we kept pulling it in and out the shell started to kind of slip a little bit and I became aware that I didn't know how it

was fixed on and that we'd tied the line, the line that we'd used was tied to the shell not to the rubber raft. So that line was, you know, not, it was in doubt. However, the other line coming around the winch, which Rob had in his hand back in the life raft was basically our best chance, I guess. But at, what eventually happened was as we came back in for Brian, the first time he couldn't get in, the second time he, well, he did and we were all sort of, you know, come on, now, knowing that if he didn't make it this time the boat would pull, the raft would pull free of the, the shell. So he jumped in and his weight pushing into the raft ripped the shell off, so we only had it on by the hand at that point and it started slipping around the winch 'cause it had been tied to be loose, not tied to be firm. And then the, the weight of the wind against the raft proved to be too strong to hold physically so we let it go, yep. I had wanted to stay attached, I think, we didn't really need to be, but we hadn't, we couldn't see the trawler at that point and I'd seen the trawler about 20 minutes earlier when we first started getting the life raft ready. So we, we drifted free, we were probably in the life raft for about 15 to 20 minutes, couldn't see the trawler and then the, so the trawler must have come, I'd seen it, the boat was here and the trawler was off to our windward side in front of us and we went off the leeward stern side and drifted away at sort of like a 5 o'clock angle from the

boat and the trawler came around through the trough and was suddenly there, you know, 50 metres away from us, being pushed up on this huge massive wave so that the wave itself was, I don't know, like, 8 metres and then the trawler was on top of that and so we were suddenly looking up at this skyscraper trawler and as that was being pushed up we got sucked up into it so, it was amazing how, how far we moved in horizontal distance being sucked into this huge swell. I thought that we were going to get bashed against the side of the trawler and sucked into it, but just as we got almost underneath it, it started to come down again and the force of the trawler coming down pushed us away from it slightly, so we just sort of stabilised and we were right underneath its stabilisers. At that point they threw us a line, I was at the front of the, the life raft, 'cause I'd been first on and helping other people get on, so I caught the line as it came in, it was a thick rope with a metal hook on it and we just hooked the hook inside the life line and they pulled us in and we, and as the raft rose up against the, the trawler, 'cause we were in different cycles, the trawler would be high, we'd be low and flip around and you sort of had to time it, step on the running board of the trawler and they just grabbed you and flipped you over. So we all got on board and then they hauled up the life raft. We'd grabbed whatever gear we could grab, so it was basically personal bags and they pulled all that in

with the life raft. And then I think it was about 2 o'clock in the afternoon when we arrived at Eden to heaps of media, yeah. When we set off for Eden, after we were all on board, we still had the boat under tow, I crashed out straight away so I didn't see the boat break the tow line but I've been told it was about an hour later that the boat became too full to break the tow line. Brian was in some doubt, you know, they hoped that they'd be able to get it in close enough and recover it later on, but I was sure that the boat would sink, just based on what had, it had been like to bail it and that if I stopped for 5 minutes I could see the difference, that one person couldn't keep up with it. The swell was certainly less than it had been during the night, but under tow we'd taken on a lot more water than we had during the night and we'd towed the boat for another hour with no-one there to bail it, you know, I'm confident it would have sunk certainly. I expected it to sink before we got to Eden, so at 2 o'clock I thought it's gone, you know, if I want to be really conservative I would say by that night it would have been gone, yeah, just the way it was filling, what we could, what Peter and I could see going on with the water.

Q12 Are you prone to seasickness yourself?

A I have, yeah, I am more so than other people are. I normally take a patch and a quell, so this is how I started out sailing, a patch and quells and I wouldn't

get sick at all and after about three days I'd be completely fine, to the point where I could cook down below, you know, for hours and not be remotely affected by it. The, so that was my first Sydney to Hobart I did that. Coming back from Coffs Harbour I just took quells, 'cause by then patches were illegal in Australia 'cause of the drug involved and I was fine there as well, seasick, I vomited once. I've been out shore, sorry, offshore out of Sydney Harbour in between the heads in a 2 metre swell and just vomited my guts out all afternoon because it's been a washing machine swell, yeah. I raced around, that's right, I did an overnight race around Cabbage Tree Island about four, three or four years ago, wasn't sick at all, didn't use anything. Actually, sorry, I was sick coming back when we got past the island, which was, you know, like the full, I'd sailed the full night and it was about 9 o'clock the following morning before I got seasick. If you're going to be seasick offshore you'll be seasick within half an hour of going out, that's about as long as it will take you and you'll be vomiting. So if you're not going to be seasick then something has to change for you to become seasick. I had been fine all the way up until about 6 o'clock that night so I'd had five or six hours out of the heads without a problem, but about 6 o'clock is when the swell started to pick up and I'd been absolutely ravenous at 5 o'clock, you know, couldn't wait to stuff my face, I'd eaten lunch,

if I'm feeling sick I don't touch anything, so it was, as the swell was picking up that started to make me go a bit green and then with the wind change that we, we got, that made it worse because we had swell heaped up from one direction and then from another direction and they were battling each other, so the boat was sort of twisting and, and bucking all the time. So, yeah, I, I was seasick and I think Brian had a few spits and Bill, I know, felt queasy at one point as well, but no-one was seasick like I was, I was monotonous, yeah.

Q13 So did that, did that play a big part in your mind, I mean, your attitude towards things, being seasick to that degree?

A (NO AUDIBLE REPLY)

Q14 You know what I'm saying here, like, were you in a situation where, I just want to get out of here, I don't care, you know, I mean - - -

A Yeah.

Q14 - - - you didn't care any more about your environment or, how did it affect you?

A No, I did care because I did things like harnessed on and if I moved around the boat I'd unharness and harness and we had to do a reef and I got up and did that up on the midships and did that with three of the other crew. That was when Brian, sorry, Rob dislocated his shoulder 'cause we were getting knocked backwards and forwards by the boom because the mainsheet wasn't tight enough and we were yelling at them to tighten it

up. It was so windy they couldn't hear us, so Rob grabbed it in a big bearhug and it was just flogging him backwards and forwards and that's how he dislocated his shoulder, yeah, he should have pulled on the mainsheet that, you know, we were in danger of being bucked off the side of the boat at that point, it was quite fierce. Yeah, so, you know, I got up and did stuff when required. When we tacked off towards Eden I was up there with Yuli, she was on the helm, she tacked, I tacked the sheets for her, so I still got up and did stuff, but whenever I didn't have to I'd just lay there, yeah, tried to sleep. I got about an hour's sleep but it was just too rotten to sleep. Yeah, so I still cared, but, you know, I wasn't motivated crew, yeah, and I was happy that we'd decided to go to Eden because I thought that was the best thing for me personally and also the best thing for the boat. Yeah, and then once we were taking on water I was down below bailing, I just bailed and puked and I was sitting up the whole time just like digging and then I'd go - (DEMONSTRATES AUDIBLY) - keep bailing, bail, bail and I'd bail and I'd puke about, well, it used, it was originally every half an hour during the night, but once all this, all hell started breaking loose it was probably about every 45 minutes and then by the morning it was maybe once an hour, just dry retching all the time. It had gone from being sort of this globular pale yellow stuff to being really thick orange, you

know, very acidic, all the gory details here, and hardly anything of it and I could feel my throat starting to burn and the enamel on the back of my teeth was rough because I had taken it off with the acid in my stomach. So, yeah, you know, and Peter would say to me, you know, "Go up on deck, if you don't feel well go up on deck", and I just kept thinking, no, you know, I, I don't care what happens, I know I'm going to be exhausted, I, soon as I got down below and started bailing I knew that there was going to come a point where I'd want to stop, and I just said to myself, you will not stop bailing no matter what, I do not care, you are going to bail, you know. If you are mentally asleep you'll, you'll do it in your sleep, you won't stop. So I sort of, you know how you tell your body you're going to wake up at 7 o'clock and funnily enough you do, I started programming myself to do nothing but bail and I did and it surprised me how easy it was to be seasick and still be very efficient and very focused and just completely ignore it. Whereas before when I hadn't had the impetus to do anything, I didn't, you know. It was only when I had to do something that I did, but as soon as we got into trouble, yeah, it was really serious. And I know that some people on board the boat fully understood the situation and the consequences and what was down the track of the sequence of events that were unfolding, but I also thought that two people, Peter and Bill,

didn't have a full appreciation of what we were heading into, so, Bill I think because he was at the back of the boat and he couldn't see the amount of water we were taking in, and when he came out he was like, oh my God, there's a lot of water out here that's right. So he didn't realise until later on in the night that, that it was serious, you know, how much we were battling out in the main part of the boat, because at the back of the boat there was no water on the floor, the boat curved up. And Peter, it's hard to know, you know, he was a very calm sort of person who just kind of tootled along, he was, so he didn't panic or do anything like that, but, you know, he wanted to talk about what I did for a living and how many brothers and sisters and stuff I had and I just had to say, look, sorry, I don't have enough energy to talk and bail, I'll just have to bail. So it sort of surprised me that he was so - (DEMONSTRATES VOCALLY) - whereas, no-one panicked, certainly, but I was taking it pretty serious, Brian was too. We were still, I mean, we were still smiling and stuff, but, yeah, Yuli was taking it very seriously indeed.

Q15 Any questions?

SENIOR CONSTABLE UPSTON

Q16 Just, just a couple on, on the safety issues. Have you ever deployed a life raft prior to that time?

A No, I'd never deployed a life raft prior to then, however I'd come to a party at the Cruising Yacht Club

several years ago that was given by the Pacific Sailing School and they needed to have one of their life rafts repacked as per requirements and so they had exploded it in the party to show all the students and other people associated with the school what a life raft looked like and people had sat in it and played with it and, look, there's this bit of rope here, so I knew what a life raft looked like, I knew what it felt like, yeah, not in the water, only on a wooden floor.

Q17 Yeah, and you've been sailing for a, for a fair time, you're familiar with the distress flares?

A No.

Q18 O.K.

A I know what they are, I know how they look when they go off, but I've never let one off.

Q19 O.K.

A I was the voyage co-ordinator for Young Endeavour for eight months when I got back from overseas and when we did cruises on Sydney Harbour for Australia Day, I did one of those with Young Endeavour, we set off flares and guns and I was a metre away from someone doing that.

Q20 But you didn't actually - - -

A I didn't - - -

Q20 - - - let one off yourself?

A No, and I didn't set the flares off on board the boat Miintinta either, but I saw the difficulties that they had and I was surprised that no-one knew how to do it,

yeah.

Q21 O.K.

DETECTIVE SENIOR CONSTABLE GRAY

Q22 O.K.

A But that's not the reason, because they don't teach you and you're not meant to let them off.

Q23 Would you like to see something like that come into play?

A Definitely, yeah, yeah. I think, I think that, well, see, I went to the weather briefing that morning, I made a point of coming down here early. In fact, I'd been at home in Tamworth and had driven down the night before so I could come down at 9.00 in the morning and see the weather briefing, 'cause I felt I should know what was going on and, so I think that's important. People operating the radio, you know, that you have one radio operator, everybody on board the boat should know how to do that. Brian was very exhausted by the end of the, the thing and, at the end of it all and the last few hours when he was walking around down below the boat he was falling over everything, he was really clumsy, and I was afraid that he was going to slip or get caught by the motion of the boat and crack his head open, you know, he's a big guy, then someone was going to have to look after him and it made me realise, well, you know, Brian knows this boat back to front, he knows it better than anyone else, what happens if he's out of commission, we really need him. So it made me realise

that we need to have not just the official person, but somebody else that knows almost as much and can back them up in case of an accident with everything, you know, with the weather, with the charts, with the skeds, with the radio operation, with where the safety equipment is on the boat, yeah, how to do the sail changes, everything, there has to be multiple people that can do all those things. And for the most part we were pretty good, but with the safety equipment, 'cause it's so rarely used and almost never played with, people don't know that type of stuff. At one point I had to get on the radio and talk to the trawler and I didn't really know how to operate the radio properly. Like, I could speak into it and things like that, but I should have gone to a second channel 'cause I was probably on the radio for five minutes and blocking, or using the, the line, yeah, but I didn't know any better and everybody else was up on deck by necessity, so someone had to do it and just do the best he can.

Q24 O.K. The time is now 9 minutes past 2.00, this interview is concluded.

INTERVIEW CONCLUDED