

SENIOR CONSTABLE UPSTON

Q1 This is an electronic record of interview between Senior Constable David Upston and Peter Schultes on Tuesday, the 11th of August, 1999 at the Sydney Water Police. The time on my watch is now 10.00am and Peter, for the purpose of the interview, could you please state your full name?

A Peter Schultes.

Q2 And your date of birth?

A 12th, 11, '39.

Q3 And your address?

A 6 David Street, Mosman.

Q4 And your occupation?

A I'm a retiree.

Q5 Right. Now Peter, as I explained to you earlier, I'm making inquiries into the Sydney Hobart 1998 and we're and I'm speaking to people either directly or indirectly involved in the race and I understand that you are co-owner of the vessel Innkeeper, is that correct?

A That's correct, yeah.

Q6 O.K. And you entered the last year's race?

A Last year's Hobart race, yes.

Q7 O.K. What type of sailing experience do you have?

A Well, that would have been my fourth Hobart. I have had plenty of offshore sailing, Lord Howe's, Mooloolaba's, Hamilton race weeks and all that sort of, kind of racing. Since '83 I've been yacht racing.

Q8 O.K. And you've, you've been sailing most of your life?

A Yes, yes.

Q9 Fairly experienced?

A Quite experienced.

Q10 O.K. Could you just explain what type of vessel the Innkeeper is?

A It's a 65 foot pocket maxi, it's a downhill flier, it's a fairly fast unit. We had to withdraw previous Hobart races which was 2 years ago with gear failure, on this one we were quite in the front line but at the time when our life raft disappeared and we had engine problem at the time and that made us to take the option to come in to Eden to assess the whole circumstances and, but from there on we, we could see the situation wasn't suitable to go on with, so we withdrew.

Q11 O.K. Well, I'll, I'll talk to you about that life raft shortly. How many crew does Innkeeper have?

A Between 12 and 16, at that time we were 14.

Q12 So you had 14 crew?

A Yeah.

Q13 And the vessel underwent a safety inspection prior to the race?

A Oh, yeah. Oh, yeah.

Q14 O.K. What sort of weather conditions were you experiencing?

A From Sydney down excellent for our conditions, we had heavy breeze, we were travelling, we had, the first 10

hours we averaged 18 knots on the sailing unit, that's extremely fast. Our top speed recorded over the ground were 28 and 29 knots. So when anybody asked the experience of the open sea, a very good thrill, also extremely dangerous. We had life raft attached always with the normal strapping plus extra lashing because Innkeeper on the back where the rafts are attached is extremely twitchy when it, it, it is no chance that you could stand on the back of it without being lashed, without being unharnessed on the boat in that sort of conditions so - - -

Q15 What do you mean by twitchy?

A Well, it is when you take her down a wave it'll spew you from one side to the next one without, because it is extremely, the rear of the boat moves quite savage.

Q16 And that was the result of people having to be tied on basically?

A Always, we always have people, steerers and everybody has to have harness plus the tether, it got to be on, so there's no second thought.

Q17 O.K. Now you say you had 14 crew?

A Correct.

Q18 How many life rafts did you carry?

A Three.

Q19 And what type of life rafts were they?

A We had two on deck hard pack, they're the R.F. what do you call that - - -

Q20 R.F.D?

A R.F.D. One is a 10 man, one is a four man, and we had a six man soft pack below.

Q21 O.K. And are they normally kept on the boat all the time?

A The six man is, no, they're not, they're only brought on at racing and removed again after the races, they're never being left on the boat, they're always just for offshore racing.

Q22 You mentioned that you lost, lost a life raft over the side?

A Yeah. We - - -

Q23 What happened?

A Well, it's just got whipped out, just broke away from its harness, from the whole lot, it was a four man life raft, a small life raft, just unwrapped and disappeared. I mean we felt it when she went off but it's too late once that happens so we just radioed in and acknowledged that there is a life raft out there, not to be concerned, we're still, we're adequate with rafts on board.

Q24 O.K. So that the four man got washed did it, was it washed over the side by a wave or - - -

A I would say so, yes.

Q25 You, you weren't on deck at the time?

A I was on deck and it was night time, all we could feel is that huge which you feel, you think something has come adrift or so, or not realising it straight off, and before you know you look back and you see only

the cord was left on that side, and that's when we radioed in, it was night time, it was fairly savage.

Q26 So that the life raft was, was attached to the deck - -
-

A Yeah.

Q26 - - - in its cradle - - -

A Yeah.

Q26 - - - in a hard pack?

A In a hard pack, yeah.

Q27 And the tether - - -

A Yeah.

Q27 - - - for the life raft was attached to a hard point?

A That's right, yeah, and that was still left.

Q28 O.K. And how much of that line was left?

A The actual tether plus there was some special device on the pack with a ripcord type of a thing and that's it, so that's - - -

Q29 Do you still have that?

A It could be still there, yes, it could be somewhere, I would have to look at it because I thought that's the strange thing.

Q30 O.K. Now when you say that it was just washed over the side - - -

A

Q30 - - - was, it was - - -

A Whipped out, I mean it was just - - -

Q31 All right. How, can you explain that? What do you mean by whipped out?

A I would say the waves which fall over the boat when you are travelling at night with that sort of speed, one of the waves would have just grabbed it and torn everything out of it, that's all I can explain, the man, ten man one was still quite intact, but the small three man just disappeared.

Q32 Was it a three or four man?

A Oh, four man, sorry, yeah.

Q33 O.K. So how did you have the life raft secured to the boat?

A It has special lash, lashing down, like, the normal standard type with jackets on it plus it has extra safety lashing around it just to make sure it does not come off, which most of the boats do, to have the normal plus the safety lashing over it.

Q34 Right. So it had the lashing that was supplied by the life raft manufacturer?

A Oh, I'm not sure if they're even supplied by the life raft manufacturer, they're just always with boats, boat owners put 'em on, stick them in their cradle where they belong and then we most of the time just put a safety path around it so - - -

Q35 O.K.

A - - - it cannot disappear.

Q36 By what mechanism was the life raft lashed down? Do you recall?

A No, I can't, can't.

Q37 So you don't know what really gave way?

A I have no idea, no idea.

Q38 Right. So there was, there was two mechanisms actually tying the life raft down?

A There are, yeah, yeah.

Q39 O.K. And they both were, broke and were whipped away?

A Broken and whipped away, yeah.

Q40 So none of that was left either?

A I think, I would have to look back to it and see what was, there could have most probably, there would have been some because they were shackled with their proper path, it's quite possible, we never even went further into it, all we knew is thing's gone and finish.

Q41 So you don't know whether the life raft inflated or not?

A Oh, yeah, it would have inflated.

Q42 Did you see it inflate?

A No, we did not see it inflate but it would have inflated, I mean it got pulled and the, the cord was still attached to the boat wasn't it, and you could see that, where part of the life raft, the intersection which was still on the end of the cord so it would have pulled it.

Q43 Right. So that was the firing mechanism you think was still left on the line

A Yeah, yeah.

Q44 O.K. So no one actually saw the life raft inflate - -
-

A No.

Q44 - - - or disappear?

A No.

Q45 It was just - - -

A But if was felt, there was something which disappeared which we later on thought that would have been the raft coming adrift.

Q46 So did anyone go back and retrieve the line at that particular time?

A No, no.

Q47 Right. So you didn't actually know that that was the life raft or you didn't, didn't want to go back to have a look to see what damage had been done or anything like that?

A Oh, no, well, we could see straight over it, that's, you know - - -

Q48 O.K.

A It has opened up and it's somewhere out the back at sea and - - -

Q49 All right. Now you said to me earlier that you've got some thoughts on the types of lashings, what are your thoughts on that?

A I would say the way those soft cases, you know, the soft fibre glass cases are constructed they only have two ropes which you're lifting on, somehow if it wouldn't have some sort of hard points on, to make it more secure. That's all I feel 'cause you see, if you look on boats, most of the boats have them lashed down with extra lashing which somehow I don't think should

be, should be required if there is enough hard points to secure.

Q50 But isn't it the case where the life raft is, is only secured to the deck from lashings that are also secured to the deck, that they go over the top of the life raft?

A Yes, they do.

Q51 Right. And you feel that they're not strong enough?

A Oh, sure, they could have more guidance there so you could have more of a solid part in it because in emergency you still have, your knife's next to it and you, you're not waiting to undo the rope, you always just cut 'em loose and so - - -

Q52 Right. Was it a fact that you retired from the race that, that you retired the race because you lost your life raft?

A No.

Q53 No.

A No, no, it had no bearing on that at all. We, we just retired because we had engine problems so that leaves the crew a little bit uneasy plus we could hear the forecast, we could hear what went on, we could hear people went overboard. Once that feels within the crew, when you can see it's building up, you say, Hey, guys, we have a rest and see. So that's, that's when we got involved and we just came in to Eden to assess the whole thing, to take off again later on, which didn't eventuate.

Q54 Did you have any injuries on board your boat?

A No, none whatsoever.

Q55 What, what position were you in as far as the crew was concerned, were you the master of the vessel?

A Yes, I was the skipper.

Q56 O.K. All right. Peter, is there anything that you could add in regards to life rafts in particular that you feel that might be able to assist us in making any recommendations, safety issues, safety factors with life rafts?

A Well, I, I, I assume that even so far the clubs have taken a lot of practice in flares and showing people what to do when you have a life raft and all that sort of things. I think that has taken place already which is a great advantage because even us, myself I've never been in a life raft so when the situation occurs, that you're familiar with it. I think that has come already. Fastening of life rafts on soft cases, I think the manufacturer may has look into it and see if it is possible to secure those a bit more adequate, but that's, that's all I come to.

Q57 All right. That's actually one of the things I was going to ask you, that in fact you have never been in a life raft?

A No.

Q58 Have you ever deployed a life raft?

A No, never before.

Q59 Never, have you ever seen one being deployed?

A Yes, I have, every time when we take 'em for service you check and see what they look like and what, what's there.

Q60 Yeah.

A I think what the club did recently, to trial and have those sorts of exercises, I think, that's a great achievement.

Q61 Have you ever fired any flares at all?

A Yes, but not in emergency.

Q62 Mmm.

A So there again, but we have fired the flares but most of the crew would have never seen a flare or even fired a flare.

Q63 Right.

A So all those exercises they had, I think, it just can benefit to the sport and make it safer.

Q64 Do you feel that you have a responsibility yourself as the master of a vessel to ensure that your crew are adequately trained in, in life raft deployment and the use of flares and safety equipment?

A Yes, I think so, I think so and I think we all have to take more responsibilities in, in regard of safety, I think a skipper himself has to get more the idea what crew he's picking in that sort of ocean races to make sure that those people are better trained.

Q65 So is it the case that that has been actually neglected in the past?

A I don't think it's been neglected, no, I don't think so. I don't think, I mean we, we do compare our sailing sports with other sports and I think the sport's been very safe til a disaster like that hits. So no, I have no

Q66 Right. Do you feel that your crew or do, are you aware of your crew's level of expertise in the safety aspects prior not only to this race but to all the other races that you've been involved in as master?

A Yes, yes, you do but it is recreational sport, it's not, we're not the experts on it so we do all try our best and pick our, whatever crew we can get so that's where it comes into it.

Q67 O.K. Peter, is there anything else now you'd like to add?

A No, I think it's, that's as much as I - - -

Q68 All right.

A - - - can add to it.

Q69 Well, thanks very much for your time. The time on my watch is now 10.18am. This interview is now concluded.

INTERVIEW CONCLUDED