

# **INQUEST INTO THE DEATHS IN THE 1998 SYDNEY TO HOBART YACHT RACE**

## **STATEMENT OF ANDREA HOLT**

On 30 June 2000 I, **ANDREA HOLT** of 80A Park Road, Hunters Hill in the State of New South Wales, secretarial assistant, say:

1. Since November 1997 I have been employed full-time by the Cruising Yacht Club of Australia ("CYCA") as a secretarial assistant for the Sailing Office. Prior to November 1997, I was employed part-time in that position.
2. In my role as secretarial assistant, I am responsible for the secretarial work associated with the Sailing Office and report to the Sailing Office Manager, Phil Thompson. Attached and marked "A" is a true copy of my job description, which sets out my responsibilities.
3. In the following paragraphs I have set out my involvement in the preparations for the 1998 Sydney to Hobart Yacht Race ("SHYR").

### **Notice of Race and Application Forms**

4. In or about mid 1998 the Sailing Office received the Notice of Race from the printer. At or about that time I compiled a mailing list of the owners of potential entrants who were to be sent the Notice of Race and thereafter, sent the Notice of Race to those persons. The mailing list included previous SHYR entrants, previous Sydney Gold Coast Race entrants, selected yacht clubs, new yacht owners and anyone else who had requested a Notice of Race or made enquires in relation to the SHYR.
5. On or about 21 October 1998 an Addendum to the Notice of Race was issued to include a CHS category in the SHYR.
6. The Notice of Race required applications for entry for the SHYR ("Applications") to be submitted to the CYCA by 2 November 1998. Consequently, between July and November 1998, Applications were gradually returned to the Sailing Office with the majority of Applications being received in the two weeks prior to 2 November 1998.

7. Applications were received over the Sailing Office counter, by facsimile or by mail. Applications received by the Sailing Office were put on either my desk or Thompson's desk.
8. It was my practice in 1998 to deal with Applications I received as follows:
  - (1) Read the Application with particular regard to:
    - (a) The three nominated crew and their offshore experience; and
    - (b) If the applicant had included an IMS certificate which showed the yacht had a limit of positive stability or minimum stability index of greater than 115 degrees or would comply with the grandfathering clause; or
    - (c) If the applicant wished to enter PHS or CHS category and had not included an IMS certificate, that other verification of the yacht's stability was included with the Application.
  - (2) If the crew's offshore experience and an IMS certificate was included which appeared to comply with the stability requirement, I wrote "OK Gus" ("Gus" is my nickname) in the top right hand corner of the Application and placed it on Thompson's desk for his review and approval.
  - (3) If the Application:
    - (a) did not appear to comply with the crew experience and/or stability requirements;
    - (b) was for PHS or CHS category and had included other verification of the yacht's stability; and/or
    - (c) was incomplete;I placed the Application on Thompson's desk for his review with no note on the top right hand corner.
  - (4) Any photographs included with the Application, I placed in the Media Centre's in tray in the Sailing Office.

9. If a yacht wished to enter the IMS category and had included an IMS Certificate which was valid but not current, I still wrote "OK Gus" on the Application. I did this because current certificates were frequently unavailable when yachts submitted their Applications and consequently, the Sailing Office had developed a practice of still sending those yachts an Entry Form. However, yachts falling into this category were not eligible to race IMS unless they provided a valid current certificate by 22 December 1998.
10. After Thompson reviewed Applications, he often asked me to file the accepted Applications in the 1998 SHYR Application Folder ("the Application Folder"). The Application Folder contained all the accepted Applications in alphabetical order.
11. At that filing stage, it was my practise to file all documentation included with the Application in the Applications Folder except current IMS and CHS certificates. I put any current IMS and CHS certificates on Robinson's desk for his review and approval and subsequent, filing in the 1998-99 IMS Certificate Folder ("the IMS Folder"). The IMS Folder contained all the current IMS and CHS Certificates in alphabetical order.

### **Entry Forms**

12. After the close of applications for entry on 2 November 1998, I compiled a list of all the applicants that had been accepted for the SHYR and arranged for those applicants to be sent an Entry Form under the cover of the CYCA's precedent cover letter, which was signed by Thompson. True copies of the CYCA's precedent cover letter and the 1998 Entry Form are attached and marked "B" and "C" respectively.
13. At or about that time, I made up a chart which listed the yachts that had been sent Entry Forms down the left hand side with a series of columns across the chart for all the SHYR entry requirements ("the 1998 chart"). These columns were to be filled in as each requirement was satisfied.
14. The Notice of Race required Entry Forms to be returned to the CYCA by 27 November 1998. Entry Forms started to be returned shortly after they were posted and were received over the Sailing Office counter, by mail or by facsimile. Entry Forms received by the Sailing Office were put on either my desk or Thompson's desk.

15. It was my practice in 1998 to read Entry Forms I received and deal with them as follows:
  - (1) Check whether the entry fee, insurance certificate and complete crew list were included and if so, fill in the fees paid, advertising, insurance and crew list columns on the 1998 chart and file that documentation and the Entry Form in the relevant folders;
  - (2) If a current IMS or CHS certificate was included, place it on Robinson's desk for his review, approval and subsequent, ticking on the 1998 chart; and
  - (3) If a safety and radio certificate was included, place them in David Lawson's (CYCA's chief safety officer) in tray for his review, approval and subsequent, ticking on the 1998 chart.
  
16. As far as I am aware, in or about December 1998 Robinson reviewed the Entry Folder in order to do the division and category lists for the SHYR. At or about that time he ticked the certificate column on the 1998 chart for all yachts for which he had received a current IMS or CHS certificate. I note the certificate column is only relevant for IMS and CHS category yachts. I cannot now recall if at that time Robinson and I filled in the class column on the 1998 chart or whether that column was filled in at another time.
  
17. In the weeks leading up to the SHYR yachts continued to submit outstanding entry documentation. As that documentation came into the Sailing Office, it was the practice in the Sailing Office for the person who received that documentation to:
  - (1) Put safety and radio certificates and any other documentation relating to safety in Lawson's in tray for his review, approval and subsequent, ticking on the 1998 chart;
  - (2) Put current IMS and CHS certificates on Robinson's desk for his review, approval and subsequent, ticking on the 1998 chart; and
  - (3) Fill in the columns relating to the entry fee, advertising, insurance and crew list if the relevant documentation was received and either file that documentation in the relevant folder or put it on my desk for filing.

18. I did not tick the 1998 chart when we received current IMS or CHS certificates or safety documentation from yachts. Only Robinson was permitted to tick the certificate column and only Lawson was permitted to tick the columns relating to safety. However, if I was standing near the 1998 chart and Robinson asked me to tick the certificate column for a particular yacht, I would have.
19. It was also common in 1998 for the member of the Sailing Office responsible for a column to go through the relevant folder and another staff member to stand at the 1998 chart while that person read through the folder to ensure all yachts had been ticked who had supplied that documentation. This would not have occurred in relation to the certificate or safety columns unless Robinson or Lawson were present.
20. Once a yacht had ticks in all the columns, the yacht's name was highlighted to indicate that it was eligible to sail in the SHYR. If any material had not been provided, someone from the Sailing Office staff would telephone the owner of the relevant entrant to remind them to submit their outstanding documentation. This was the reason for having the 1998 chart on the wall, so that any staff member at any time could look at the chart and see what documentation was outstanding for a particular yacht.
21. In the lead up to the SHYR I was also involved in the general administrative preparations for the race. This included answering hundreds of telephone and counter enquires, producing Sked sheets, packing briefing kits and typing correspondence to entrants in accordance with Thompson's instructions, some of which I signed on Thompson's behalf.

#### **24 December 1998**

22. On 24 December 1998 I attended the pre-race briefing at the CYCA, prior to which I helped hand out the SHYR Briefing Kits. To the best of my recollection, all entrants received a Briefing Kit.
23. At the pre-race briefing a list was put on the overhead of yachts that had not submitted all their entry documentation. They were advised that they would not be allowed to race in the SHYR if the outstanding documentation was not in the Sailing Office by midday. It was my belief that all outstanding documentation was submitted by that time.

**26 December 1998**

24. On 26 December 1998 I was in and out of the Sailing Office helping prepare for the start of the SHYR. Throughout the morning I was serving people and answering enquires. It was very busy with 20 or so people at the counter at any one time.
25. I recall that two men from the Bureau of Meteorology ("BoM") arrived between approximately 8:30 and 9:00am and asked me to do lots of photocopying while they set up the weather stand outside the Sailing Office.
26. I deny having a conversation with them in relation to the Race Committee, their whereabouts or knowledge of the weather. I deny I said words to the effect that "its okay, they know the weather". I would not presume to respond on behalf of the Race Committee in relation to any subject and in particular, in relation to their knowledge of the weather or whether they needed a weather briefing from BoM. I also deny that anyone from BoM requested that I inform the Race Committee that they wished to see them. The only conversation I can recall having with BoM was in relation to the photocopying they wanted me to do. I recall they needed me to photocopy more material as a result of a new weather forecast that morning.
27. In any event, Thompson and Robinson were in and out of the Sailing Office all morning. To the best of my recollection, Hans Sommer, Howard Elliott and Bruce Rowley were also in and out of the Sailing Office that morning.
28. At approximately 11:00am I left the Sailing Office and went out on the harbour with Robinson to lay the starting line. I returned to the CYCA at approximately 3:00pm and went directly to the CYCA bar.
29. Before leaving the CYCA, I recall stopping in at the Sailing Office and having a conversation with Thompson to the following effect:
- I said "I'm off. Can I do anything before I go?"
- He said "No, it's all okay".
30. I am not aware of anyone from BoM calling the CYCA that afternoon looking for Thompson or leaving a message in relation to a storm warning.

31. As far as I am aware, in accordance with the Sailing Office's practice, BoM was provided with the CYCA's SHYR contact list prior to the race which listed Thompson's mobile number.
32. If someone from BoM had telephoned the CYCA looking for Thompson they should have been given his mobile number as all internal telephones had a sticker on them with relevant contact numbers for the SHYR including Thompson's mobile number.


**27 December 1998**

33. When I came to work at the Sailing Office on 27 December 1998 Thompson and Robinson were preparing to fly to Hobart. After they left, I did not receive a message from the Media Centre or anyone else that BoM was looking for Thompson. If BoM had left a message with the Media Centre, they would have told me as they were just upstairs from the Sailing Office in the CYCA building.

**Police Interview**

34. On 20 October 1999 I did not participate in the police interview because I felt intimidated. The Police came to the CYCA with no prior warning and said they would like to interview me in 20 minutes. As I was advised that I did not have to participate in the police interview, I decided not to.

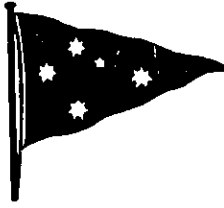
Dated: 30 June 2000



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Andrea Holt

"A"



## POSITION DESCRIPTION

JOB TITLE: SAILING OFFICE - SECRETARIAL ASSISTANT

RESPONSIBLE TO: ALL WORK DIRECTLY ASSOCIATED WITH THE SAILING OFFICE AND MARINA

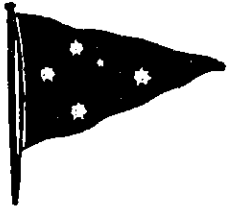
REPORTS TO: SAILING OFFICE MANAGER

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### KEY TASKS:

- 1) Full secretarial support to the Sailing Manager and Sailing Administrator.
- 2) Ensure that you are computer literate in windows based programs and other programs used in the sailing office administration.
- 3) Maintain a knowledge of sailing and current trends in sailing administration.
- 4) Assist the sailing office management to conduct sailing events both in office administration and on water management.
- 5) Assist in the production of all sailing documentation, race entry procedure and assist in maintaining race files and registers.
- 6) Produce and maintain a data base listing of all boats on the marina.
- 7) Produce and maintain a data base listing of all yachts on the CYCA register.





"B"  
**Cruising Yacht Club of Australia**

A.C.N. 000 116 423

*New Beach Road, Darling Point, N.S.W. 2027*

*Telephone: (02) 9363 9731 • Fax: (02) 9363 9745*

*Internet: www.cyca.com.au Email: cyca@bigpond.com*

*ADDRESS ALL CORRESPONDENCE TO THE CHIEF EXECUTIVE OFFICER*

Dear Hobart Competitor,

Thank you for your recent Application for Entry in the 1998 Telstra Sydney-Hobart Yacht Race. We are pleased to inform you that your entry has been accepted. Please fill in the attached Entry Form and return it to us no later than Friday November 27, 1998.

You will note that there are three Entry Fees for this years race:-

1. \$750.00 for yachts with no advertising under Appendix 3, Category A, or
2. \$1,100.00 for yachts with advertising under Category B, or
3. \$2,000.00 for yachts with advertising under Category C.

The Telstra Cup Regatta will be run from December 16-20 and an Entry Form is attached. Please note the Sydney-Hobart does not form part of this Regatta .

Another race you may be interested in is The King of the Derwent, which will be held on the Derwent River in Hobart on January 2.

Good luck in this year's race,

Phil Thompson,  
Sailing Manager.

"C"

# Telstra Sydney-Hobart Yacht Race 1998

## Entry Form

26/11/98

Please Enter the Yacht ADRIANALINI Sail No. 1999

in the 1998 Telstra Sydney to Hobart starting on December 26, 1998.

Full details of the yacht are declared on the Application for Entry.

I have read and agree to be bound by the rules of the Racing Rules of Sailing and prescriptions of the AYF, by the conditions of entry as published in the Notice of Race, and by the Sailing Instructions as they apply to the race.

If during the course of the race, I or any person authorized on my behalf, request the duly appointed Duty Officer or Officers of the Cruising Yacht Club of Australia to arrange for special assistance because my yacht has become disabled, or for any other reason, then I hereby agree to indemnify the Cruising Yacht Club of Australia in respect of any cost or expenses which may thereby be incurred.

The yacht will display advertising within the permissible limits prescribed in the Notice of Race for the following companies, products, organisations: MATTEL

Should there be any changes to the information provided on this entry form, or the Application for Entry, I undertake to notify the CYCA Sailing Office immediately in writing.

Name: MATTEL - ADRIANALINI Yacht Club CYCA

Address: 58 QUEENS PARK RD, QUEENS PARK Post Code 2022

Country: AUST Telephone: (Bus) 53981122 (Private) 93895804

(Mobile) \_\_\_\_\_ (Fax) \_\_\_\_\_

Signature: [Signature]

- AYF Safety Regulations Card Category 1 is attached.
- A Radio Inspection Certificate is attached.
- Third Party Property and Public Liability Insurance for A\$10 million by December 18
- An Entry Fee of \$750.00 for yachts with no advertising under RRS rule G, Category A or \$1,100.00 for yachts with advertising under Category B, or \$2,000.00 for Category C.
- Fees Attached or Please debit my CYCA Account.

To be received at the CYCA no later than 1700 hours, Friday November 27, 1998.

Cruising Yacht Club of Australia, New Beach Road, Darling Point NSW 2027  
Ph. (02) 9363 9731 Fax. (02) 9363 9745