

" 21 "

# Gibson Robinson

L A W Y E R S

*Partners*  
John Gibson  
Mark Robinson  
*Senior Associate*  
Stephen Rolfe

Our Reference John Gibson

10 June 1999

Mr John Stanley  
North Sydney Yacht Squadron  
Kirribilli

CONFIRMATION  
OF FAX

FACSIMILE 9954-1952 (1 page/s)

Dear John

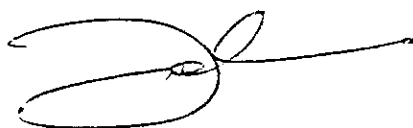
**REPORT OF THE 1998 SYDNEY TO HOBART RACE REVIEW COMMITTEE  
MAY 1999**

Herewith draft letter to Hugo.

What do you think?

Consider and advise if you think it is appropriate.

Regards



John

52 Wyargine Street  
BALMORAL NSW 2088  
Phone: 9267-9400 (wk)  
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Mr Hugo Von Kretschmar  
Commodore  
Cruising Yacht Club of Australia  
New Beach Road  
DARLING POINT NSW 2027

**PRIVATE AND CONFIDENTIAL**

Dear Mr Von Kretschmar

**REPORT OF THE 1998 SYDNEY TO HOBART RACE REVIEW COMMITTEE  
MAY 1999**

John Stanley and myself have had an opportunity to consider the above report and in particular the recommendations and findings relating to the use of life rafts.

We have concern that important issues may not have been addressed arising from the deployment of the life rafts from the Winston Churchill.

We invite you to consider further appropriate investigations with which we will fully co-operate on some of the following issues.

1. Was the life raft (number 2) being a Pro Saver six man raft ever tested as to its rightability?
2. Was it in fact rightable in the conditions prevailing on the 27/28 December 1998 following its capsize in extreme sea conditions?
3. Was there ever any warning by the manufacturer or any instructions concerning the possibility of a capsize?
4. Were there any directions provided as to how the raft was to be righted in the event of a capsize.
5. What equipment was available on the raft to right it in the event of a capsize?
6. Did the manufacturers of the raft appreciate the extreme danger to a person attempting to exit from the raft for the purposes of carrying out a righting manoeuvre if there was no harness or attachment line to the raft?
7. The ingress and egress of this raft was extremely difficult with buoyancy material.
8. What footholds or handholds are available on a capsized raft to enable a crew member to attempt a righting action in a sea way?
9. Would a righting attempt require all or only one of the crew members to exit the raft during this manoeuvre?

10. Can a righting manoeuvre be attempted with a person wearing buoyancy equipment such as a standard life vest in light of the difficulty of obtaining ingress and egress to the submersed raft wearing this equipment and the exposure to being washed from the raft by reason of the buoyancy of this equipment.

The above are a few of the salient features which we recommend should be addressed.

We recommend that a demonstration of this raft should be undertaken as soon as possible in order to test the above matters. We are not aware that this has been done.

All manufacturer's literature and instructions which are normally sold with the raft should be inspected and reviewed. This particularly relates to any literature as to its suitability or otherwise.

Our understanding is that the literature available with the Pro Saver raft states that :

*"With its wide range of equipment, the Pro Saver is an inexpensive safety factor in waters near to the coast"*

The above statement would clearly indicate that the raft is in fact not suitable in a sea way. Was this factor known and considered by the committee?

Copy of brochure containing the above extract is **enclosed**.

The local press apparently reported that RFD Marine and Safety Equipment and General Manager, Mark Clothier is reported to have allegedly said:

*"Neither raft on the yacht was designed to survive 10m waves."*

A copy of this article is **enclosed**.

Referring specifically to the report we invite your attention to the following.

Paragraph 6.4.3 Competitors' Views of An Organisation, Safety and Equipment

At page 100 the last paragraph says:

*"Furthermore, they do not see, as a result, any need for wide sweeping changes to safety regulations and equipment ....."*

In our opinion the life raft Pro Saver was grossly inadequate for the conditions and exposed the crew members to perils which could easily have been avoided.

We are of the opinion that this type of raft, which is clearly prone to capsize, needs to be carefully considered by all cruising yachtsmen as to its suitability in a sea way.

The chronology of the events at paragraph 7.7.2 notes at 1800 hours a crew member received severe injuries.

In our opinion some type of internal harness is required in life rafts to prevent this type of injury.

At 2000 hours the decision to cut a five inch slit in reinforced floor was determined after a lengthy debate with very experienced crew members and in particular the late Jim Lawler an International Marine Surveyor, in view of the fact that the considered opinion of the crew was that there was no alternative.

At paragraph 8.2 Training and Knowledge of Crews of FAR Systems and Techniques at page 132 it is noted that:

*“The Winston Churchill crew reported that a lack of familiarity with life raft features ultimately resulted in them cutting the floor of the raft for air when it capsized, rather than trying to right it.”*

We believe this paragraph totally misstates the position.

We are most concerned that we were not consulted prior to its publication.

In our opinion there was extreme peril for any crew member who attempted to exit the raft in the prevailing conditions in making any attempt to right the raft. The raft was regularly being swept by violent broken water and any such person was at risk of being separated from the raft.

The above paragraph raises the assumption that in the conditions it was possible to right the raft.

We suggest this should be tested and we believe the conclusion was reached without testing.

As noted above we are not aware as to what features were available on the raft to undertake this manoeuvre and in fact if such a manoeuvre was possible.

We believe this paragraph needs to be addressed urgently.

At paragraph 9.6 Safety Equipment, page 142 at the centre of the page it is noted that:

*“The destructive damage to WC’s two life rafts was most probably instigated by the crew cutting an air hole in the floor.”*

This paragraph again assumes that there was an alternative.

The decision to cut a hole in the floor was on the raft’s crews consensus, the only available means to avoid suffocation.

In our opinion the paragraph is misleading and fails to address the real issue, that is could the raft have been righted and was the equipment for that purpose adequate in the conditions then prevailing.

At paragraph B3 Yacht Safety Equipment at page 156 et seq we note at page 157 headed Compulsory Life Rafts a series of recommendations with which we entirely agree.

The real issue which is not addressed is that all life rafts need, in our opinion, to have the following minimum features.

1. They must be rightable.
2. There should be clear instructions and equipment for this procedure.

3. In the event of extreme conditions the crew should be able to remain safely inside a capsized raft with access to air.
4. Harnesses need to be supplied with raft so that the crew can secure themselves to avoid injury and also to use such harnesses should it be necessary to exit the raft to attempt a righting manoeuvre.
5. Ingress and egress from the raft for persons wearing buoyancy equipment requires to be facilitated with appropriate handholds, footholds and similar.
6. In large sea waves there is a real risk that crew will be thrown from the raft and appropriate internal harness attachments and harnesses, handholds, footholds and similar should be provided.
7. There are a significant number of features which we feel need to be addressed as to appropriate equipment and modifications for life rafts designed for cruising yachts where they may be deployed in extreme conditions.

We believe this matter needs to be referred to safety engineers and experts and we would be delighted to assist.

At paragraph 9.6 heading Safety Equipment, page 141 at paragraph 9.6.1 heading Life Rafts, it is noted that:

*"No Australian Standard for the construction of life rafts for off shore racing or cruising yachts exist."*

We are not familiar with the minimum requirement for life rafts referred to in the following paragraph.

Our experience is that if the Pro Saver met those requirements then these requirements need to be urgently reviewed as in our opinion they are grossly inadequate.

In our opinion these are extremely serious and urgent matters.

We have both given lengthy statements to the Detectives assisting the Coroner and addressed these issues in the tapes recorded by them. We have not yet seen a transcript of those tapes.

We are concerned that the CYC fully address the above issues prior to the coronial inquest and make appropriate recommendations.

We would like to be part of this process.

We are of the opinion that it is essential that a very full and frank disclosure of the above matters be made to the Coroner.

We also have concerns that this type of raft is not suitable for cruising yachts and that same may be currently deployed in Australia by racing and cruising yachts. Consideration should be given to discussing the suitability of this type of raft for these purposes with the distributors of the raft in Australia and whether or not it is appropriate to issue warnings to CYC members and other Australian clubs and generally.

The first Winston Churchill raft also experienced capsizes and it may have been through the extreme courage and ingenuity of the skipper, Richard Winning that it was righted in the prevailing conditions.

The whole question of life rafts and capsizes, in view of their wide use in the cruising and yachting community needs to be addressed as a matter of urgency.

It is interesting to note that there is video footage taken by the helicopters involved in the search and rescue operation of life rafts being flipped and rolled in the sea conditions in the 1998 Hobart.

You will appreciate that there is a strong possibility that legal proceedings may follow.

We look forward to working with you and your committee to address these issues as a matter of urgency.

Yours faithfully

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John Gibson

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John Stanley

# Inflatable Life Raft

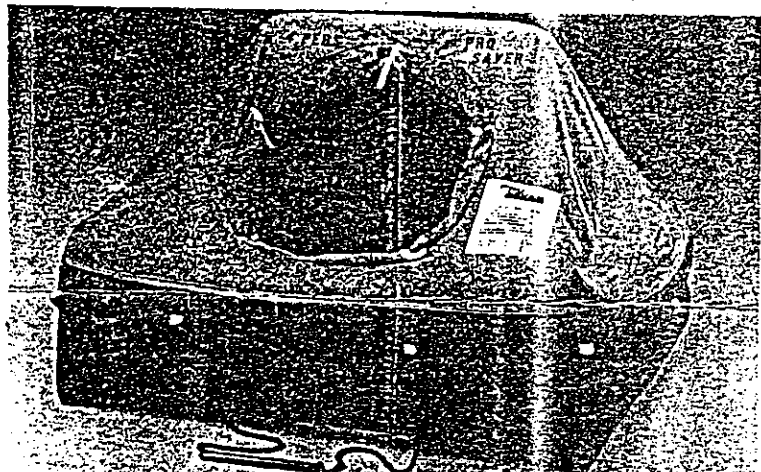
*Pro Saver*

The PRO SAVER inflatable life raft provides basic safety for a 4, 6 or 8 man crew.

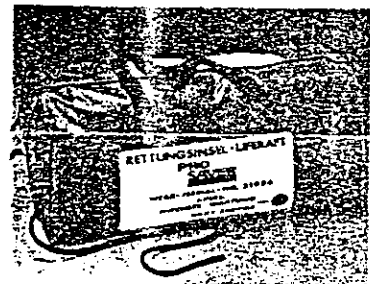
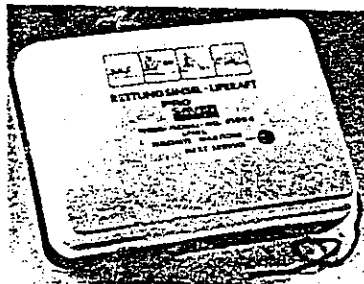
It is a must on board, as container or valise. The high-standard fabrication, excellent material and its extreme tear resistance are elements which you can trust in the case of an emergency. Two buoyancy tubes with independent chambers and a self-erecting roof are, of course, included, as are capsizing protection bags, access aid and handline. With its wide range of equipment, the PRO SAVER is an inexpensive safety factor in waters near to the coast.

The PRO SAVER should be regularly serviced to ensure your safety. Make use of our world-wide service from authorised specialist companies.

- inexpensive self inflating life raft
- in valise or container
- 2 buoyancy tubes with independent chambers
- capsizing protection bags, access aid, all-around handline, closable entrance, additional lookout
- reflective strips
- sea anchor, paddle, quilt with line, bailer, sponge, pump, repair set



PRO SAVER life raft for 4, 6, or 8 persons



Technical data	Weight	Length x width x height (mm)
PRO SAVER 4 man container	approx. 20 kg	650 x 480 x 290
valise	approx. 18 kg	660 x 360 x 310
PRO SAVER 6 man container	approx. 24 kg	650 x 480 x 230
valise	approx. 22 kg	660 x 360 x 310
PRO SAVER 8 man container	approx. 28 kg	765 x 515 x 290
valise	approx. 25 kg	780 x 400 x 350

**NAVITIV**

# Life rafts fail trial by tempest

Stormy peril Marty Maika at the helm of the largest raft in the Sydney to Hobart race. Winston Churchill survivor, John Stanley in hospital yesterday

By FIONA CARRUTHERS  
Staff reporter

THE maker of two life rafts used by the crew of the ill-fated Winston Churchill yesterday called on Sydney-to-Hobart race organisers to upgrade safety requirements, saying neither raft on the yacht was designed to survive 10m waves.

RFD Marine and Safety Equipment general manager Mark Clothier said life rafts were required only to meet the Australian Yachting Federation's category one safety standards.

He said more expensive and heavier rafts meeting Safety of Life at Sea (SOLAS) specifications would have been "better suited" to the conditions.

"If (race organisers) wanted a recommendation as to where to take safety to ensure the life raft stood up to those conditions, I'd say you could only go to SOLAS, which is the standard used in the Whitbread round-the-world race," Mr Clothier said.

His comments came as Winston Churchill survivor John Stanley told how he and crew-mate John Gibson clung "for



grim death" to their square raft, which had been rolled over in the treacherous seas.

Stanley and crew member Bruce Gould have criticised the life rafts as being unstable and "leaving a lot to be desired".

Team-mates Mike Bannister, John Dean and Jim Lawler perished after a wave swept them from the shredded remains of the square life raft, which the men had punctured to obtain air after the raft was

overturned by a huge wave. Mr Clothier said RFD service records confirmed that one round life boat had been bought from RFD in 1985. The model — manufactured by RFD — was discontinued in 1991. The second, square-shaped life raft was a Pro-Saver, imported from Germany, and bought by Churchill skipper Richard Winning from RFD in July for about \$3000, Mr Clothier said.

Also yesterday, the bodies of Business Post-Nalad skipper Bruce Guy and crewman Phil Skeggs were brought ashore when the Tasmanian yacht was towed to a private wharf at Eden.

Guy died from a heart attack in the arms of crewmate Steve Walker and Skeggs drowned when the yacht rolled over.

Business Post Nalad crewman Bob Matthews, on deck with Skeggs when the boat rolled, narrowly escaped a similar fate as he battled to unhook his harness after the boat failed to right itself immediately.

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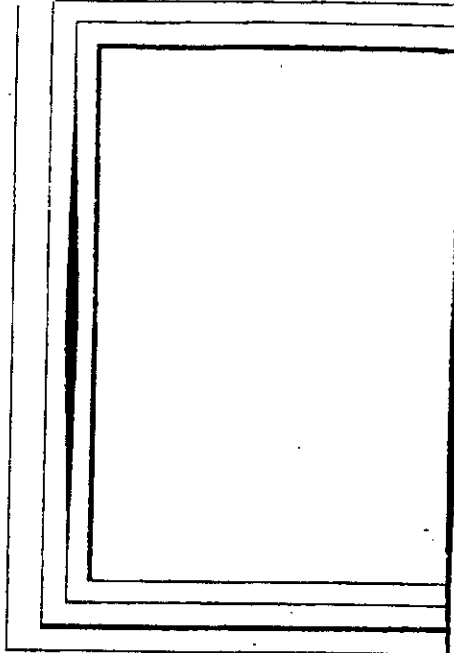
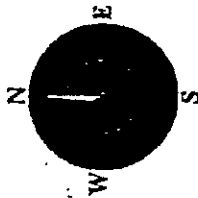
6 We had our hands full keeping 28 crew safe. At one stage I had 16 crew washed off the windward side by one huge wave

—Hobie's skipper David Witt yesterday

## Inside:

- Bureau defends forecast
- Ten hours clinging to shreds of life
- Hard questions bring straight answers
- Disabled mariners shine beacon

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# Gibson Robinson

L A W Y E R S

Partners  
John Gibson  
Mark Robinson  
Senior Associate  
Stephen Rolfe

Our Reference John Gibson  
Your Reference CRN403.128 T6 Pam Lazzarini

16 March 2000

Ms Pam Lazzarini  
Crown Solicitors Office  
DX 19 SYDNEY

FACSIMILE 9224 5177 ( 9 page/s)

Dear Ms Lazzarini

## INQUEST INTO THE DEATHS IN THE 1998 SYDNEY TO HOBART YATCH RACE

I understand that I will be required to give evidence either in the afternoon of the 17 March or early the following week. 80%

I enclose copy of memorandum prepared as an aide memoir concerning matters which in my opinion may assist the coroner.

I would be pleased if you would brief a copy of to counsel assisting the coroner.

I invite counsel to consider the admissibility of video film taken in my presence at Launceston concerning the use of the rafts.

I understand it is proposed to tender this video film with the evidence of Mr Tony Blair of the Launceston University towards the conclusion of the hearing.

Stanley and I suggest that the video film "tells it all" and the coroner may better understand the evidence of myself and John Stanley should this video film be sought to be tendered with our depositions.

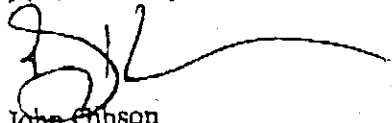
We were both present when the video film showing the deployment of the raft and attempts by volunteer yachtsmen to enter the raft and generally and in particular the re-enactment of the capsizing of the raft conducted with the co-operation of the water police.

I do not presume to interfere with the manner in which you may lead evidence to assist the coroner. I raise these matters for your consideration only.

At the end of the day it is my wish that as a result of the coronial inquest yachting may become safer and that in some small way my experience contributes to this matter.

Counsel may consider leading evidence from myself or submitting this aide memoir as part of my evidence.

Your faithfully



John Gibson

cc John Stanley

**MEMORANDA RE WINSTON CHURCHILL  
MATTERS TO BE RAISED AT THE INQUEST**

**1. Seaworthiness of Winston Churchill**

- (a) JHG sailed on the vessel on two occasions prior to the race. A series of sails including spinnakers were used in trials off the coast in fresh breezes. JHG is not aware that there were any defects with equipment or hull strength or that the vessel leaked during these trials.
- (b) JHG observes that the vessel during the race carried spinnakers in very fresh breezes up to the evening of Saturday, 26 December 1998 the spinnaker being doused at approximately 7.00pm.
- (c) Sail was further reduced during the evening however during that night up until almost midnight the vessel carried a polled out headsail query No. 2 or No. 3 in lieu of spinnaker.
- (d) Thereafter the vessel carried reduced sail finally continuing in the early hours of Sunday morning under storm jib in strengthening winds.
- (e) JHG is aware that the wind alarm was sounding fairly constantly during this period. (Query alarm setting in excess of 50 kph.)
- (f) Up to the time the vessel suffered severe damage in a knock down it continued under storm jib.
- (g) JHG is not aware that the vessel leaked, that there was any gear failure or any other problems during this period.
- (h) None of the helms persons being Bruce Gould, the late Jim Lawler or Richard Winning during change of watches made any reference to difficulties in handling the boat.
- (i) JHG's observation was that the boat was travelling at approximately 5 knots under storm jib immediately prior to the knock down and handling the conditions extremely well. There was no undue hull noises, evidence of water, or any other matters which were causing him concern.
- (j) The boat was not keeling excessively, launching itself off waves, there was no significant noise of the boat falling off waves and apart from the motion the boat in the conditions seemed to be behaving extremely well.
- (k) On the occasion of the last trial sail JHG assisted the crew in the moving of anchor chains which had been previously stored in the peak (front section) of the vessel in order to shift the weight from the bow.
- (l) This involved manhandling chain, the anchor chain from that section and laying it along the floor of the bilge in the main saloon.

- (m) During this exercise JHG had an opportunity as did the rest of the crew to observe the state of the bilges. They were dry. At this time JHG is not aware that the vessel had its motor operating or that any mechanical pumps were in operation.
- (n) To the best of his knowledge the vessel was not taking water at its mooring.
- (o) JHG has no recollection after the trial sails referred to above that it was necessary to pump the bilges or that the vessel had taken water.
- (p) The damage to the vessel following its knock down was massive.
- (q) The damage involved a section of approximately 6-8 feet of the bulwarks comprising heavy timbers being stripped from the vessel. Some three armour plated windows in the aft cabin were smashed in. The dodger was twisted out of shape.
- (r) The vessel was taking water on the port side.
- (s) The floor boards in the main saloon being large sections of marine ply were lifted and thrown up onto the leeward side of the vessel during the knock down.
- (t) The stairs from the main saloon to the hatch were dislodged.
- (u) Gear stowed on the windward bunks under lee cloths were thrown onto the leeward (port) side of the vessel.
- (v) There was a massive crash sound as if the vessel had struck an object at the time of the knock down.
- (w) JHG on deck observed that the forestay of the vessel had not fallen away and it continued to sail under storm jib. The storm jib was subsequently eased and then lowered. During these procedures JHG did not observe that the forestay had fallen slack or fallen away.
- (x) In his opinion this was an indication that the mast had not moved notwithstanding the significant damage to the port bulwarks.
- (y) JHG observed that the bilges commenced to fill with water immediately after the knock down and in a very short period of time the water covered the batteries to the motor.
- (z) JHG did not observe from where the vessel was taking water.

## 2. Re: Life raft

- (a) JHG was unable to enter the raft without assistance.
- (b) Raft trials at Launceston will indicate on video tape that entry of the raft was extremely difficult and one volunteer was unable to enter the raft whilst wearing a Mae West.
- (c) The design of Mae West makes it extremely difficult for a person to manoeuvre in the water and in particular to enter rafts.
- (d) Mae Wests have a tendency to ride up and chafe the skin on the bottom of the jaw.

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FAX 61 2 92679355

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- (e) JHG had his Mae West swept from his body and it was trailing after being hit by a very large wave.
- (f) JHG is of the opinion that these type of Mae Wests are not suitable for these conditions.
- (g) JHG is of the opinion that a Mae West with a crutch strap should be considered together with a vest which gives the wearer greater flexibility and mobility in the water particularly whilst attempting to enter life rafts and similar.
- (h) JHG is of the opinion that the method of entering the pro saver life raft is extremely difficult, his personal experience was that notwithstanding several determined efforts he required assistance from the crew to enter the raft and that this experience was shared by a volunteer in the environment of a swimming pool during tests. This will be observed by the Coroner in video film.
- (i) Persons successfully entering the pro saver were required to execute a porpoise type manoeuvre launching the body up and forward using both hands in the water to obtain entry.
- (j) The inside of the raft in the conditions we experienced resulted in its crew being thrown around violently and John Stanley suffered a fractured ankle and injuries to the tendons in his hip as a consequence.
- (k) There are no hand holds or any attachments to secure members to stop excessive movement in the raft as it is thrown around in the sea.
- (l) Each time the raft was hit by a wave the inhabitants were tumbled about and it was very difficult to avoid injury.
- (m) The incumbents of the raft were at risk as to being thrown through the canopy as the raft was being hurled about in the rough conditions.
- (n) When the raft was upside down there was no handholds internally or any method of securing people to the raft in this position and the inhabitants were at risk as to being thrown through the canopy and from the raft in these conditions.
- (o) There was no provision to store gear in pockets or similar inside the raft such as torches, lines, eperbs and there was a risk that any such gear would be thrown from the raft.
- (p) The equipment for bailing the raft was totally unsuitable and the crew used sea boots and similar to try and keep water from the inside of the raft.
- (q) JHG is not aware that there were any directions inside the raft as to what was required to right the raft should it turn over. He understands that the directions are on the outside of the raft.
- (r) The droguc to the raft which was attached to the bottom of the raft appears to have failed at an early time and the raft moved at considerable speed driven by wind and water and was spinning during this manoeuvre.
- (s) No attempt was made to right the raft once it turned over by reason of the sea conditions.



- (xii) JHG estimates that the raft was upside down in excess of 10 minutes during this process. At that time it had become clear that there were problems with the remaining air supply in the interior chamber of the raft and something had to be done urgently;
- (xiii) the equipment in the raft contained a drogue on fairly thin diameter line. This was deployed to slow down the raft. JHG attempted to retrieve the drogue as the attached line was fouled inside the raft and at danger of cutting the raft. In this process JHG received severe lacerations to both hands. This was caused by the line running at speed and under tension through his fingers so that it acted as a knife;
- (xiv) JHG recommends that this type of line is unsuitable for use in a raft;
- (xv) once the raft broke up there was virtually no means of securing anybody to the raft. There were no internal hand holds nor were there any lines available for this purpose. JHG recommends that hands holds, harness lines or similar be available inside rafts or otherwise there be attachment points;
- (xvi) as it may be necessary for a person to leave a raft in order to effect a righting attempt when it is capsized JHG is of the opinion that there should be a harness line for this purpose;
- (xvii) once the canopy of the raft disintegrated the only surviving material was of a black colour which made the raft virtually invisible from the air. JHG recommends that the rubber construction of the raft be of a clearly visible colour. JHG further understands that the raft in the upside down position has a black floor and would not be visible. Again a different type of visible colour should be considered;
- (xviii) the raft was thrown several times after it had been righted by waves and eventually disintegrated. JHG is of the opinion that the raft would have been thrown in this manner irrespective of whether the floor had been cut and there was every risk that the raft would, on each occasion, land upside down. In these circumstances JHG is of the opinion that there should be some method of obtaining air inside the upside down raft. In these conditions it is virtually impossible to exit the raft to attempt to right the raft and the raft in any event is likely to be further tossed again and land upside down. Accordingly some method of air access in the upside down raft which will not compromise the floor or stability is suggested as being essential.

3. Navigation Aids

(XIX)

GAS BOTTLE ADRIFT & LOOSE -

- (a) As a result of the knock down the electronic equipment of the Winston Churchill including the SSB radio, GPS, logs and maps were rendered inoperable.
- (b) Winston Churchill was able to transmit a VHF signal which was received by a helicopter in close proximity.
- (c) JHG is of the opinion that navigators should consider a black board or some other device on which the yacht's position should be noted not less than on one hour intervals. Assuming the vessel is travelling at a speed of approximately 5-6 knots this would provide

an approximate fix within a 5-6 mile radius should the navigation equipment, maps and other records be destroyed by a knock down of the type suffered by Winston Churchill. A blackboard or similar device clearly available to the crew at the navigator's station should be considered for this purpose.

- (d) It was fortunate the VHF equipment survived the knock down. Consideration should be given to separate hand held VHF equipment in a water tight capsule which is available.
- (e) The pro saver raft was found approximately 80kms from the coast off Eden. JHG estimates the raft may have drifted a distance of approximately 100kms during the 30 hours the raft was deployed.
- (f) This suggests a speed of the raft of not less than 2kph per hour.
- (g) Had there been a lee coast the raft may have floundered.
- (h) JHG is of the opinion that the drogues on this raft were not adequate to slow the raft down. Whether or not further drogues should be deployed on rafts will be a matter for expert opinion. JHG notes that the other raft was in close proximity which would indicate it also had the same problems of high speed drifts.
- (i) The drift of these rafts in the conditions should be taken into account to assist in further rescue operations as clearly rafts do have a tendency to drift at considerable speeds. It is noted that the drift may have been against current. This would indicate an even greater degree of drift. These matters should be reviewed to assist further operations.

#### 4. Raft Equipment

- (a) The raft equipment was lost. The raft equipment was secured in a bag which was untied and the equipment then lost. JHG is of the opinion that rather than place all the equipment in one bag it would be advisable to consider it be deployed in separate pockets clearly marked within the raft.
- (b) The equipment in the raft was basic. There was little or no reserve water. The torches were not of great strength.
- (c) JHG recommends that all yachts have a special bag dedicated to be taken into a life raft to supplement the known equipment. This bag should contain not less than a high power torch to attract aircraft and shipping, water, portable GPS and portable VHF equipment, spare harnesses and safety lines and spare rope. An inflatable vest is recommended for inclusion in this equipment so that same can be deflated or inflated to assist the wearer obtain mobility when undertaking manoeuvres such as attempting to right the raft and similar.

#### 5. Helicopter Rescue

- (a) JHG divested himself of his Mae West buoyancy equipment prior to being hoisted in the helicopter. This enabled him to enter the strop with ease. It is noted during simulation trials at Launceston that persons wearing the Mae West equipment had great difficulty in placing the strop over their bodies. This again indicates that this equipment grossly impedes mobility and can be counter productive in attempting helicopter rescues. John



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Stanley was rescued from the helicopter also without any buoyancy equipment being worn.

- (b) Video footage of rescues of crew members from other vessels in the Sydney to Hobart shows that several persons were hoisted with the strop not correctly placed around their bodies but simply placed under their arms by reason of the difficulties in placing the strop over the body with the Mae West equipment.
- (c) JHG concludes that buoyancy vests of the Mae West type create problems for helicopter rescues particularly if the helicopter crew is not able to send a crew member down to assist persons with the use of the strop.

#### 6. Suitability of the Pro Saver Raft

- (a) JHG is of the opinion for the reasons stated above that the pro saver raft was not suitable to be deployed in circumstances experienced by the Winston Churchill.

#### 7. Seamanship

- (a) JHG is of the opinion that the crew of the Winston Churchill and in particular the late Michael Bannister, John Dean and Jim Lawler displayed exceptional seamanship. He notes that the two life rafts were deployed and the crew were able to use same. He notes that several other vessels attempted to deploy life rafts and lost same. This was a very difficult manoeuvre requiring great seamanship and in his opinion all crew members in the sailing of the vessel up to the knock down and in the deployment of the life rafts showed exceptional seamanship.
- (b) In his opinion the decision to make an incision in the bottom of the life raft was the only alternative available to the crew in the circumstances and was taken after a considered evaluation of the predicament and the risk as to life should any member attempt to leave the raft to attempt a righting manoeuvre.
- (c) It should be noted at this time the raft was being swept with extreme waves involving white water and subject to violent movement.

#### 8. Conclusion

- (a) JHG would like in public to be thanked via the Coroner for the extraordinary efforts of the rescuers and in particular the helicopter crew from the Melbourne who saved his life. He would also like to acknowledge the assistance of the ABC helicopter pilot who relayed their mayday signal.

#### 9. Concluding Remark

- (a) JHG is very proud to have been a member of the Winston Churchill crew.